

*Sandra Humber*

# THE A.T.A. HANDBOOK



Published by The Alberta Teachers' Association

1960





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**ORGANIZATION OF THE ALBERTA TEACHERS' ASSOCIATION**

- EXECUTIVE COUNCIL**
  - EXECUTIVE (TABLE) OFFICERS**

<b>President</b> Elected from the membership at large after nomination by a local.	<b>Vice-Pres.</b>	<b>Past Pres.</b> Immediate Past Pres. of the Assoc.	<b>Exec. Sec.</b> (Non-Voting)
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  - DISTRICT REPRESENTATIVES**
    - 10 teachers elected from 10 Geographic Districts established by by-law throughout the Province
    - Council meets at least five times per year to carry out policies authorized by AGM
  - THE EXECUTIVE ARM OF THE ATA**
- ATA STANDING COMMITTEES**
  - Curriculum
  - Pensions
  - Discipline
  - Finance
  - Scholarships
  - Pens. Grievance
  - Resolutions
  - Departmental Faculty Council
  - ASTA - ATA
  - Alta. Ed. Council
  - Research
- Ad Hoc**
- SEVENTY-ONE LOCALS OF THE ALBERTA TEACHERS' ASSOCIATION**
- APPROXIMATELY 12,000 MEMBERS OF THE ALBERTA TEACHERS' ASSOCIATION**
- ATA HEAD OFFICE**
  - EXECUTIVE SECRETARY**
  - ASSISTANT EXEC. SECRETARY**
    - EXEC. ASST.**
    - EXEC. ASST.**
    - EXEC. ASST.**
  - CLERICAL STAFF**
- THE ADMINISTRATIVE ARM OF THE ATA**
- THE ANNUAL GENERAL MEETING**
  - Approximately 250 Councillors elected by the Locals to meet at least once per year to formulate ATA policy
- THE LEGISLATIVE ARM OF THE ATA**

# APPROXIMATELY 12,000 MEMBERS OF THE ALBERTA TEACHERS' ASSOCIATION

# **The Alberta Teachers' Association**

**ESTABLISHED JUNE 24, 1918**



**BARNETT HOUSE**

**9929 - 103 STREET**

**EDMONTON, ALBERTA**

**Telephone GA 2-6155**



Barnett House, Edmonton

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# The Alberta Teachers' Association

## Code of Ethics

1. The teacher is courteous, just and professional in all relationships.
2. All testimonials and documents presented by a teacher are truthful and confidential.
3. The teacher strives constantly to improve his educational practice.
4. The teacher avoids interfering between other teachers and pupils.
5. Upon each teacher personally and individually rests the responsibility for reporting through proper channels all matters harmful to the welfare of the school.
6. The teacher regards as confidential, and does not divulge other than through official channels, any information of a personal or domestic nature, concerning either pupils or home, obtained in the course of his professional duties.
7. Official business is transacted only through properly designated officials.
8. Contracts are respected by both parties and dissolved only by mutual consent or according to the terms prescribed by the statute.
9. The teacher does not accept a contract with an employer whose relations with the professional organization are unsatisfactory, without first clearing through head office of The Alberta Teachers' Association.
10. Each teacher is an active participant in the work of his professional organization.
11. The teacher adheres to salary schedules negotiated by his professional organization.
12. The teacher who in his professional capacity is a member of a committee, board, or authority, dealing with education matters or with teacher training or certification, must be elected or appointed by The Alberta Teachers' Association.
13. The teacher refrains from knowingly underbidding fellow-applicants for teaching positions, and refuses to apply for, or to accept, a teaching position before such position has become vacant.
14. No teacher accepts compensation for helping another teacher to get a position or a promotion.
15. Unfavourable criticism of an associate is studiously avoided except when made to proper officials, and then only in confidence and after the associate has been informed of the nature of the criticism.

# The Alberta Teachers' Association

## Educational Platform

1. Official recognition of the Alberta Teachers' Association as the organization representing the teaching profession of the province.
  - (a) by the government,
  - (b) by school boards, and
  - (c) by all other groups.
2. Fullest possible co-operation between The Alberta Teachers' Association and,
  - (a) the Department of Education,
  - (b) school boards, and
  - (c) all other organizations interested in education.
3. The right of The Alberta Teachers' Association to have representation on all boards of inquiry having under consideration the efficiency or conduct of a teacher (including summary dismissals and transfers).
4. Promotion on the basis of seniority, all other qualifications being equal.
5. Increased government grants.
6. Equality of educational opportunity: free adult education, extension of high school and university privileges to rural districts.
7. Provision for special instruction of talented children.
8. Provision for special instruction of handicapped children.
9. Province-wide medical and dental inspection of schools.
10. Elimination of juvenile labour.
11. A tightening of the truancy law and release of the teacher from the duty of informing.
12. Higher professional training for teachers.
13. Equal pay for equal professional education and teaching experience.
14. A limit of twenty-five students per class or room for proper work in a modern school system.

# The Alberta Teachers' Association

## Executive Council

### 1960-61

<b>A. D. G. Yates</b> .....	<b>President</b>
14420 - 110A Avenue, Edmonton	
<b>J. A. McDonald</b> .....	<b>Vice-President</b>
468 McCutcheon Drive, Medicine Hat	
<b>R. F. Staples</b> .....	<b>Past President</b>
Westlock	
<b>S. C. T. Clarke</b> .....	<b>Executive Secretary</b>
Edmonton	
<b>E. J. L. Guertin</b> .....	<b>Northwestern District</b>
Fairview	
<b>A. J. Shandro</b> .....	<b>Northeastern District</b>
Glendon	
<b>L. Jean Scott</b> .....	<b>Edmonton City</b>
9903 - 105 Street, Edmonton	
<b>H. C. McCall</b> .....	<b>Edmonton District</b>
Stony Plain	
<b>D. A. Prescott</b> .....	<b>Central West District</b>
4610 - 48 Avenue, Red Deer	
<b>Jean Saville</b> .....	<b>Central East District</b>
Hardisty	
<b>Elizabeth W. Duff</b> .....	<b>Calgary City</b>
4203 - 2 Street N.W., Calgary	
<b>N. P. Bragg</b> .....	<b>Calgary District</b>
Standard	
<b>T. F. Rieger</b> .....	<b>Southwestern District</b>
Picture Butte	
<b>Lucy I. M. Milne</b> .....	<b>Southeastern District</b>
439 - 8 Street S.W., Medicine Hat	
<b>F. J. C. Seymour</b> .....	<b>Assistant Executive Secretary</b>
Edmonton	
<b>W. Roy Eyres</b> .....	<b>Executive Assistant</b>
Edmonton	
<b>E. J. Ingram</b> .....	<b>Executive Assistant</b>
Edmonton	
<b>J. D. McFetridge</b> .....	<b>Executive Assistant</b>
Edmonton	

# Teachers' Retirement Fund Board of Administrators 1960-61



**H. J. M. Ross** ..... **Chairman**  
Edmonton

**E. E. Wickens** ..... **Vice-Chairman**  
Edmonton

**Hon. Anders O. Aalborg**  
Edmonton

**Eva Jagoe**  
Calgary

**W. Roy Eyres** ..... **Secretary-Treasurer**  
Edmonton

**Catherine E. Berry** ..... **Assistant Secretary**  
Edmonton

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**BARNETT HOUSE**

**9929 - 103 STREET, EDMONTON**

**Telephone GA 2-0427**



# The Alberta Teachers' Association

## Past Presidents

*G. D. Misener .....	1917-19
*T. E. A. Stanley .....	1919-20
*H. C. Newland .....	1920-22
Charles E. Peasley .....	1922-23
J. E. Somerville .....	1923-24
W. W. Scott .....	1924-25
F. Parker .....	1925-26
A. Waite .....	1926-27
H. C. Sweet .....	1927-28
H. D. Ainlay .....	1928-29
A. J. H. Powell .....	1929-30
R. D. Webb .....	1930-31
C. O. Hicks .....	1931-32
M. W. Brock .....	1932-33
*G. A. Clayton .....	1933-34
E. J. Thorlakson .....	1934-35
G. G. Harman .....	1935-36
Eric C. Ansley .....	1936-37
M. E. LaZerte .....	1937-39
Raymond E. Shaul .....	1939-41
James A. Smith .....	1941-43
*Clarence Sansom .....	1943-45
H. C. Melsness .....	1945-47
H. E. Smith .....	1947-48
E. T. Wiggins .....	1948-49
F. J. C. Seymour .....	1949-51
Marian Gimby .....	1951-53
Lars Olson .....	1953-54
Frank J. Edwards .....	1954-55
G. S. Lakie .....	1955-56
H. J. M. Ross .....	1956-57
Inez K. Castleton .....	1957-59
R. F. Staples .....	1959-60

\*Deceased



**JOHN WALKER BARNETT**

**General Secretary-Treasurer**

**1918-1946**

# Dr. John Walker Barnett

John Walker Barnett was born in 1880 in Grantham, Lincolnshire, England, where he received his early education. He was trained as a teacher at Westminster College, London, and taught in the Old Country for some years until he emigrated to Canada in 1911.

For a short time he taught in a country school at Lougheed. From there he moved to Edmonton as Supervisor of Music and for a short time he was Registrar of Alberta College. It was while he was on the staff of Strathcona High School that the Alberta Teachers' Alliance was formed. John Barnett held the position of General Secretary-Treasurer of the Alliance from the time of its inception in 1917 until 1946, when he retired. On June 29, 1947 he died after a brief illness.

During these thirty years, from 1917 to 1946, largely through Mr. Barnett's tireless efforts and his fighting determination to raise the status of the teaching profession, the Association grew from an "Alliance" with a membership of 700 in 1918, to an "Association," legally constituted by *The Teaching Profession Act* in 1935, including in its membership all the teachers of the Province. Under Mr. Barnett's leadership the Association achieved the setting up of the Board of Reference, and the establishment of a pension scheme for teachers, and representation was obtained on such public educational bodies as the Senate of the University of Alberta, the Teacher Education and Certification Committee, and various other committees of the Department of Education.

In 1947, as a public tribute to his contribution to the teaching profession in Alberta, he was awarded, posthumously, the Honorary Degree of LL.D. by the University of Alberta. The teachers of the province built an even more lasting monument to his memory when they named their new building, Barnett House.

# A Brief Historic Record of The Alberta Teachers' Association

JOHN W. BARNETT

General Secretary-Treasurer, 1918-1946

The establishment of the Alberta Teachers' Alliance, like many other significant organizations, was a product of what might be called a rebellion. It was established during the First World War and the first Annual Meeting was held in the First Presbyterian Church, Edmonton, during Easter Week, 1918. It was an offshoot from the Alberta Educational Association, which, although remaining an excellent inspirational convention, in the very nature of things was not adapted for functioning throughout the year and taking care of such all important things to teachers as: salaries, tenure, adequate crystallization of teacher opinion and effective vocalization of the teachers' point of view.

The teaching profession was at a very low ebb: they were leaving the profession by the hundreds, many of them enlisting, many entering other callings where the remuneration was more attractive and living conditions more amenable. Thousands of unqualified persons were given authority to teach. The then Minister of Education, Hon. J. R. Boyle, later Mr. Justice Boyle, made heroic efforts to make up for the deficiencies in the system and persuaded the Legislature to enact a statutory minimum of \$840 per annum. Prominent citizens were commissioned at Government expense to travel throughout the Dominion urging men and women with teachers' qualifications to help out in Alberta. However, the result achieved amounted to little more than "a drop in the teacher-supply bucket". Tenure just did not exist: term contracts were the order of the day; no appeal against dismissal; and generally speaking, teachers were in the most undignified position, both socially and economically.

At the first Annual Meeting at Easter, 1918, resolutions were passed relating to the matter of a Provincial Salary Schedule, a better form of Teacher Contract, full citizenship rights for teachers, drafting of a Code of Professional Etiquette, a Pension Scheme for Alberta Teachers, publication of *The ATA Magazine*, and initiating preparatory steps for the inauguration of a Federation of all teachers' organizations in Canada.

The initial policy of the first Annual Meeting created considerable alarm in official quarters, both Departmental and local. The

new Minister, Hon. George P. Smith, headed the opposition to the growth and influence of the Alberta Teachers' Alliance, ably assisted by his Department. In the meantime, the Alberta Teachers' Alliance forged ahead, advocating, amongst other things, a minimum salary of \$1,200 per annum, an approved model form of contract giving, amongst other things, a right to a hearing of the teacher before dismissal. As might be expected, the aggressive and progressive activities of the Alberta Teachers' Alliance were disturbing to officials, and a vitriolic campaign developed to smash, once and for all, the pert infant known as the Alberta Teachers' Alliance. The Minister entered into bitter controversy with the Executive and an uproarious convention of School Trustees was organized at Calgary in 1919. The teachers' response was to take steps to engage a paid organizer, 113 members signing notes of \$50 each to secure credit at the bank for paying the organizer \$500 a month including expenses. The antipathy of the powers that be was well countered by the enthusiasm of the teachers in supporting the Executive and in resentment against external interference with the teachers' organization.

At the Easter Convention at Calgary in 1920, a permanent Executive official was decided upon with enthusiasm, and the writer was appointed as full-time General Secretary-Treasurer on July 1, 1920, and retained that position until his retirement, September, 1946.

The first President of the Alberta Teachers' Alliance was Dr. D. G. Misener, who was followed by Mr. T. E. A. Stanley in 1919, and by Dr. H. C. Newland in 1920. The reply of the teachers to the personal and other attacks upon the Provincial Executive was the re-election in 1921 of every member of the Executive. It was considered by many informed persons that the defeat of the Government in 1921 was in a considerable measure due to the bitter opposition and influence of the teachers of Alberta, led by the four officers, Mr. T. E. A. Stanley from Calgary, Dr. H. C. Newland from Edmonton, Mr. C. E. Peasley from Medicine Hat and the General Secretary ("dubbed" the Big Four) ably assisted by the late Miss Rachel J. Coutts of Calgary.

Unanimity and enthusiasm prevailed amongst the membership in spite of many futile attempts to bore from within the organization. The new U.F.A. Government was elected in 1921, the previous administration suffering a most ignominious defeat. A very subtle attempt was developed to undermine the Alliance by lowering the standards of entrance to Normal School and granting wholesale loans to attract students to Normal School. It should be stated here that the A.T.A. held rigidly to the principle that the holders of

## History

Permits and Letters of Authority should not be admitted to membership in the A.T.A. a policy which is just as rigidly adhered to today in spite of the non-acceptance of membership fees of these unqualified persons. The battle continued for better financial status of teachers, and official representation of the Alberta Teachers' Alliance on all bodies dealing with certificates, tenure, salaries, and curriculum matters with the new administration. The fond hopes of the Alliance had been dissipated, though a somewhat better form of teacher contract had been issued by the Department, but no satisfactory appeal against dismissal had been provided although provision did exist for one year for a satisfactory Board of Reference. No teachers' Pension Scheme got beyond the stage of advocacy by the teachers, with "increasing" inactivity from the Government.

In the meantime, the teachers in the other provinces were coming together. The inaugural convention of the Canadian Teachers' Federation with representatives from British Columbia, Alberta, Saskatchewan, Manitoba and Ontario had met at Calgary in mid-summer, 1919, and in 1927 at the Convention held at Charlottetown, Prince Edward Island, every provincial organization of teachers was formally represented.

In 1934, the plebiscite of qualified teachers of the Province, whether members or not, was taken on the matter of the Teaching Profession Bill. The vote taken was overwhelmingly (over 98%) in support of a Profession Bill. In the new Bill the name of the organization was changed from *Alberta Teachers' Alliance* to *The Alberta Teachers' Association*. The significant clause of the Bill, providing that every qualified teacher serving in the public schools of the Province should, as a condition of his engagement with the School Board, be a member of the Association, was defeated and the Bill thereby emasculated. The Cabinet split on the vote. The matter of *The Teaching Profession Act* and the elimination of a Board of Reference were evidently pre-election tactics. However, obviously the plan miscued as far as the Administration was concerned. Not that it is suggested the teachers were entirely responsible; but the fact remains that not one member of the Government Party was re-elected to office.

Things swung in favour of The Alberta Teachers' Association with the advent of the new Government in 1935 under the leadership of Premier W. Aberhart. In 1936 *The Teaching Profession Act* was vitally amended by means of a private bill piloted by Mr. Solon Low, who afterwards became Provincial Treasurer, and on Premier Aberhart's death, Minister of Education. In 1936, the present Board of Reference was established in *The School Act*. In 1939, *The*



*Teachers' Superannuation Act* was approved—the first step towards a satisfactory Pension Scheme for Alberta teachers. A Certification Committee consisting of representatives of the Department, University, and A.T.A. was set up (but without statutory authority) in 1939. This was a result of constant advocacy on the part of the A.T.A. for the establishment of a full Faculty of Education. In 1944 the Certification Committee received statutory recognition by Order-in-Council providing for the Faculty of Education to assume responsibility for the training of teachers (the taking over of Normal Schools), and in the same order the Certification Committee became the Board of Teacher Education and Certification, the representation being set as five representatives from the Department, five from the University and three from The Alberta Teachers' Association.

As one examines the record of the Association one cannot but feel that the foundations of the Association were strongly and firmly established; also that the first platform of The Alberta Teachers' Association was comprehensive; has stood the test of time and provided a basis for the profession in Alberta, becoming not only an organization, but an institution whereby every step relating to the teachers' interests and welfare, professional and economic, becomes not only a matter of dignity of the teaching profession per se, but a matter of import and significance to the educational structure of the Province of Alberta. Some go so far as to state with conviction that Alberta has led the way on this Continent with respect to professional recognition of teachers and their status, financially and professionally, to the extent that today one could hardly conceive any important move in educational affairs being instituted or advocated except with the spur of the teaching body of the Province of Alberta.

# Teaching A Profession

An editorial in *The ATA Magazine* attempted, some years ago, to list the characteristics of a profession, and to relate these to the characteristics of teaching. The editorial stated:

"The first mark of a profession is that its members have an organized body of knowledge which separates the group from all others. Teachers are equipped with a background of knowledges concerning the world and its culture which go far beyond such primary skills as being able to read, to write and to figure. Teachers are equipped with a set of methods of teaching experimentally derived through continuous research in all parts of the world.

"The second mark of a profession is that it serves a great social purpose. Teachers carry responsibilities which are weighted with such a social purpose. In addition to passing on the accumulated culture, teachers assist each individual under their care to achieve self-realization. This purpose is accepted by all teachers through a rigid and self-imposed devotion to a Code of Ethics which sets forth the duties and responsibilities of teachers.

"The third mark of a profession is the cooperation which can only be achieved through a professional organization, and this cooperation plays an important role in the development of the profession. In simple terms, organization means a banding together to achieve commonly desired purposes. The teaching profession will win its well-deserved place in the social order only through continuous cooperation in research, in training, in strict adherence to the Code of Ethics. All these bind every teacher to treat his every pupil as a sacred trust.

"We believe that our teachers' organization, The Alberta Teachers' Association, accepts, and is carrying out, these functions.

"We believe that, as united teachers, we are interested in continuous study and improvement of content and of the methods of education; in continuous improvement of ourselves, the established teachers, and in the establishment of high qualifications for young people entering teaching, and in providing, for every teacher, conditions of work which will make it possible for him to give his best with competence and with security.

"Teaching is a profession. It embodies knowledges and skills unique to members of this profession. It requires freedom of thought, and of action, and rigid adherence to individual and social responsibilities. The Alberta Teachers' Association is, and repre-

sents, the combined efforts of the teachers of this Province of Alberta, as they make common cause for the improvement of teaching—society's greatest task."

There are two major criticisms levelled at Alberta teachers. One is that we are not professional because we use collective bargaining to set our salaries and conditions of work. The second is membership in the Association is compulsory. The validity of these two propositions is examined below.

Some people say we will never reach professional status as long as we utilize the techniques of collective bargaining to establish our economic position in society. This point of view is not consistent with the realities under which we as teachers must practice our profession. Consider that one employer, a school board, may hire from fifty to fifteen hundred teachers to provide professional service in the classrooms under the board's jurisdiction. It is obvious that if each teacher in the system were to bargain individually with the board in order to set his remuneration, he would be completely at the mercy of the board because he would be a very small cog in a very large machine. As a matter of fact, those who oppose collective bargaining for teachers should know that previous to the time we achieved the right to bargain collectively, individual teachers did bargain alone with school boards. Under these conditions, the status of the teaching profession was at a shocking level. Salaries reached all-time lows, and the teachers' tenure rights were negligible. The humiliation and distress that resulted drove thousands of excellent teachers from the profession, never to return.

The second weakness in the argument that collective bargaining is unprofessional lies in the nature of the clientele served by teachers as contrasted with the clientele of other professions. Our society accepts the concept of free public education for all children. This means that the teaching profession is faced with giving service to a large clientele, the numbers of which are unknown to other professional groups. While most other professionals depend upon volunteer clients, ours must submit themselves to our services by law. A parent must send his child to school two hundred days a year. He may or may not submit himself or his child to the services of the doctor, the lawyer, the clergyman, or the engineer. In addition, while most other professionals are paid directly by their clients, teachers are paid from the public purse. The relationship of these factors to our need to bargain collectively is obvious. The size of the teaching force needed to provide educational service of the magnitude indicated is such that individual fee setting is impossible. Since teachers are paid from the public purse, the level

## Teaching

of their remuneration must be publicly set and subject to public scrutiny. These factors explain why collective bargaining techniques are used in varying degrees by nearly all Canadian teachers.

Some trustees claim that collective bargaining is undesirable because its processes use a good deal of time and create bad feeling between teachers and school boards. These two points need examination. With reference to the use of time, we should keep in mind that the setting of rates for any public service, be it a utility or a human service, requires carefully worked out procedures so that producer and consumer may be both treated with equity. Public utility commissioners are time-consuming mainly for the reason that both sides have an opportunity for exhaustive investigation of the other's case so that the selling price which results from the deliberations is as acceptable as possible to both sides. The techniques of collective bargaining are designed in the same way—to provide equity to the buyer of services and to the seller of services. To those who complain of the time used in the process we say that the ultimate in efficiency would be complete dictatorship on one side or the other in which the overwhelmingly strong party would dictate to the other the price to be paid for the services provided. As employees, teachers do not want such power over trustees; conversely, they oppose the power of employers to dictate to them. As for the criticism that employer and employee relationships are not on a professional level because of collective bargaining, we must be suspicious that the proponents of this point of view are those who would wish to have the employee in a completely subservient position. Some of these critics have fond memories of the "good old days" when the teacher came in as an individual, cap-in-hand, to beg a pittance from his school board. From one point of view, it might be quite easy to assume that employer-employee relations were excellent under these conditions of unilateral decision by the school board. This kind of working condition teachers refuse to accept.

Some people claim that compulsory membership in the teachers' Association is both unprofessional and undemocratic. One needs to look at the membership requirements for most other professions before making such a statement. Professional groups throughout Canada have banded together in order to protect their interests and to insure a better quality of service to the public. As Dr. Barnett points out in *A Brief History of The Alberta Teachers' Association* in this handbook, a plebiscite was taken of all qualified teachers in Alberta in 1934 on this question. Over 98% voted in favor of a profession bill which would provide compulsory membership for teachers in their professional organization. Once this organization came into being, its founders were meticu-

iculously careful to see that it would be operated on the most  
h-democratic principles so that any member, through due process,  
s.can see his professional viewpoints expressed in the official policies  
of the Association. It is a strange anomaly that critics of our  
le compulsory membership should say that the majority rule of the  
and teachers of Alberta within their own organization is undemocratic.  
ts

ld Teaching will always be a true profession in its highest sense  
it because of the vital and personal nature of the teacher's service to  
o-his client, the child in the classroom. Critics who say that the ex-  
h-ternals of collective bargaining and compulsory membership make  
lyteaching of non-professional status are confusing the peripheral  
re with the essential features of professionalism.

# The Teaching Profession Act

## (CHAPTER 331 R.S.A. 1955)

1. This Act may be cited as "*The Teaching Profession Act*".

### Interpretation

2. In this Act,

- (a) "association" means The Alberta Teachers' Association;
- (b) "Department" means the Department of Education;
- (c) "Executive Council" means the executive council of the association;
- (d) "member" means a member in good standing of the association;
- (e) "Minister" means the Minister of Education;
- (f) "secretary" means secretary, secretary-treasurer or the general secretary-treasurer of the association;
- (g) "teacher" means a person holding a permanent or temporary certificate of qualification as a teacher issued by the Minister under *The Department of Education Act*.

### The Alberta Teachers' Association

3. (1) There is hereby established and constituted under the name "The Alberta Teachers' Association" a body corporate and politic.

(2) The association may take any measure that is not inconsistent with the provisions of this Act, or of any Act or regulation of the Province, and that it deems necessary in order to give effect to any policy adopted by it with respect to any question or matter directly or indirectly affecting the teaching profession.

### Objects

4. The objects of the association shall be

- (a) to advance and promote the cause of education in the Province,
- (b) to raise the status of the teaching profession
  - (i) by initiating and promoting research in methods of arousing interest in presentation of teaching the various subjects of the curriculum, and



- (ii) by establishing research libraries and circulating libraries of books, treatises and papers designed to assist the teacher in the class room,
- (c) to promote and advance the interests of teachers and to secure conditions that will make possible the best professional service,
- (d) to arouse and increase public interest in educational affairs, and
- (e) to co-operate with other teachers' organizations in Canada and elsewhere and having the same or like aims and objects.

### **Membership**

**5.** (1) All persons carrying on the profession of teaching in any institution of the Province that is supported by provincial or municipal taxation and that maintains a department for giving instruction in the courses of study prescribed for elementary, secondary, or technical schools under the jurisdiction of the Department of Education, shall, as a condition of their employment or continued employment, be members of the association.

(2) Notwithstanding subsection (1), when a teacher enters upon any contract of engagement with the board of trustees of any school district or school division in the Province, the teacher shall give notice forthwith in writing to the secretary of the association of the date of his proposed employment and the remuneration agreed upon, and in such case the board of trustees may employ the teacher until the association notifies it in writing that the teacher is not a member.

**6.** The following persons are eligible for membership in the association,

- (a) members of the Faculty of the University of Alberta,
- (b) teachers in any provincial school of technology,
- (c) teachers in any school of agriculture,
- (d) teachers in any other educational institution of the Province, and
- (e) unemployed teachers.

**7.** (1) A member who is not the holder of a valid, permanent certificate of qualification as a teacher from the Minister and who has had less than two years' experience in teaching shall be known as an associate member and has the same rights, privileges and benefits and is subject to the same limitations and restrictions as other members.

## Profession Act

(2) Notwithstanding subsection (1), an associate member is not eligible

- (a) for election as a member of the executive council, or
- (b) for election or appointment as a member of any committee or board of the association dealing with discipline, training or certification of teachers or dealing with courses of study for schools operating under the jurisdiction of the Department.

8. The association shall consist of a federation of local associations and members at large.

## By-Laws

9. The association in general meeting may pass by-laws not inconsistent with the provisions of this Act or any Act or regulation of the Province concerning

- (a) the election of the executive council and officers of the association,
- (b) the formation, government, management and dissolution of local associations,
- (c) the management of its property and affairs and its own internal organization and administration,
- (d) the maintenance of the association and the fixing and collecting of annual and other fees,
- (e) the time, place and conduct of the annual and other meetings of the association,
- (f) the discipline of the members, including the suspension and expulsion of members, and
- (g) all such other matters as are deemed necessary or convenient for the management of the association and the promotion of its welfare or the conduct of its business.

## Government of Association

10. (1) The association shall be governed by an annual general meeting, which shall be held during Easter week of each year at such other time as the executive council deems expedient.

(2) The annual general meeting shall be composed of the officers of the executive council and, as provided by the by-laws, the delegates from local associations.

11. (1) The business of the association shall be transacted and carried on by the executive council.

(2) The executive council shall be composed of the officers of the association and at least seven other persons who shall be elected by districts.

**12.** The fees of members shall be those fees fixed from time to time by the by-laws.

**13.** (1) The trustees of any school district or school division in the Province shall retain from the salary of each and every teacher the amount of membership dues fixed and prescribed by the by-laws of the association.

(2) All moneys so retained

(a) shall be deemed to be a payment on account of the salaries of the teachers from whom the sum has been retained, and

(b) shall be deemed to be a payment on account of membership dues by the teachers from whom the sum has been retained.

(3) At the end of each school term, the Department shall

(a) retain from the grants payable under *The School Grants Act* to a school district or school division in aid of schools organized and conducted under the provisions of *The School Act*, an amount equal to the amount retained under subsection (1) by the school district or school division from the salary of the teacher, and

(b) receive and pay over to the association on account of membership dues of the teachers from whom the moneys were originally retained, the moneys so retained.

(4) All moneys retained under subsection (3) and paid over shall be deemed to have been paid over to and received by the school district or school division on account of the aforesaid grants.

(5) Notwithstanding subsection (3), a school district or school division may, with the consent of the Minister obtained by request in writing of the secretary, pay to the association directly the fees of members employed by them.

**14.** Nothing in this Act shall be deemed to interfere with the rights of separate schools as provided in *The School Act*.

## Discipline

**15.** (1) No by-laws relating to discipline and no amendments or repeals thereof are valid or take effect until approved by the Lieutenant Governor in Council.

(2) Where any witness has been served with a notice to attend and give evidence before the discipline committee constituted

## **Profession Act**

pursuant to the by-laws of the association relating to discipline, if the witness

- (a) fails to attend in obedience to the notice,
- (b) fails to produce any books, papers or other documents in obedience to the notice,
- (c) fails in any way to comply with the notice, or
- (d) refuses to be sworn or to answer any question allowed by the committee,

he is liable to attachment upon application by notice of motion to a judge of the Supreme Court and may be punished as for contempt of court and, where the witness is the member whose conduct is being investigated, the failure or refusal shall be deemed unprofessional conduct within the meaning of the by-laws of the association relating to discipline.

## **Teaching Profession Appeal Board**

**16.** (1) There shall be constituted a board to be known as the Teaching Profession Appeal Board, which shall consist of three members, one of whom shall be appointed by the executive council and the others by the Lieutenant Governor in Council.

(2) The Teaching Profession Appeal Board

- (a) shall appoint a chairman and secretary, and
- (b) shall serve as a board of appeal in case of suspension or expulsion or other disciplining of members of the association, and investigate on the order of the Minister cases involving suspension or cancellation of teachers' certificates

**17.** When any teacher is suspended or expelled from membership in the association, or is otherwise disciplined by the executive council, the teacher is entitled to appeal to the Teaching Profession Appeal Board and, if the Board confirms the decision of the executive council, the association may advise the Minister to suspend or cancel the certificate of the teacher.

## **Penalty**

**18.** A person who contravenes any provision of this Act or any of the by-laws made hereunder is guilty of an offence and liable on summary conviction to a fine of not more than twenty-five dollars.

# By-Laws Relating to Discipline

(Approved by the Lieutenant-Governor-in-Council, as required by Section 15, Subsection 1, *The Teaching Profession Act*, Chapter 331, Revised Statutes of Alberta)

1. (1) The Executive Council shall appoint and shall maintain for the purposes hereinafter named, a committee of members of the Association, irrespective of whether they are members of the Executive Council, to be known as the Discipline Committee, five in number, of whom three shall constitute a quorum. 5  
3-  
quorum

(2) The members shall hold office for two years: provided that the members appointed to the first committee shall hold office as follows: Three members shall be appointed to serve for one year only; Two members shall be appointed to serve for two years. 2 yrs.  
3-1 yr.  
2-2 yrs.

2. (1) The Committee shall meet from time to time for the dispatch of business, and subject to any regulations made by the Executive Council, may regulate the convening, notice, place, management, and adjournment of such meetings, the appointment of a chairman, the mode of deciding questions, and generally the transaction and management of business, and if there is a quorum, the committee may act, notwithstanding any vacancy in their body, and in the case of a vacancy may appoint a member of the Executive Council to fill the vacancy until the next meeting of the Executive Council.

(2) Every meeting of such Committee held for the purpose of investigating a charge or complaint shall be held at such time and place as is most convenient for all parties concerned.

(3) At least two weeks before the holding of an inquiry a notice shall be served upon the person whose conduct is the subject of inquiry; and such notice shall embody a copy of the charges made against him or a statement of the subject matter of the inquiry and shall also specify the time and place of meeting.

3. The Discipline Committee, as well as the Executive Council, may, for the purpose of the execution of their duties under *The Teaching Profession Act*, 1935, and amendments thereto, employ at the expense of the Association such legal or other assistance as they think necessary, and the person whose conduct is the subject of inquiry shall also have the right to be represented by counsel.

4. (1) The Discipline Committee shall make every investigation ordered by the Executive Council or referred to it by any general investigating officer appointed by the Executive Council of the

## Discipline

Association in any case in which complaint has been made that a member of the Association has been guilty of professional misconduct or conduct not becoming to a teacher, and may on its own motion investigate the facts in any such case.

(2) Without in any way restricting the generality of subsection (1) hereof, every member shall be deemed guilty of unbecoming or improper conduct who:

- (a) wilfully takes, because of animosity or for personal advancement, any steps to secure the dismissal of another teacher,
- (b) wilfully circulates false reports derogatory to any fellow teacher or to any other person directly associated with education in the Province of Alberta,
- (c) maliciously, carelessly, irresponsibly, or otherwise not in fulfilment of official duties, criticizes the work of a fellow teacher in such a way as to undermine the confidence of the public and pupils,
- (d) publishes or circulates any false or mischievous statements or enters into any collusive arrangement meant to circumvent or nullify any of the Acts of the legislature, pertaining to teachers or schools or the regulations of the Department of Education,
- (e) where he is one of a local group, bargains on his own behalf on questions affecting each and all members of the group,
- (f) is addicted to the excessive use of intoxicating liquors or the excessive or habitual use of opiates or narcotics, as defined in *The Opium and Narcotic Drug Act* (Chap. 144, R.S.C. 1927) and amendments thereto,
- (g) has been convicted of an offence under the Criminal Code of Canada.

5. The Committee shall, after investigation, report its findings to the Executive Council in a written report signed by the members taking part in the investigation, and shall make such recommendations as it may deem advisable.

6. The Executive Council may, on receipt of a report from the Discipline Committee and after consideration thereof, suspend or expel from membership the person whose conduct was under inquiry, and advise the Minister to suspend or cancel the certificate of such person, and the Secretary shall inform such person by letter delivered by registered mail of the decision of the Executive Council.



**7.** (1) If, as a result of an inquiry under these By-laws, a person has been proven guilty of an offence as set forth in Section 4 hereof, the Executive Council may order that the costs of and incidental to the inquiry, including the expenses of the Discipline Committee, the Executive Council, and the Teaching Profession Appeal Board, and fees payable to witnesses, or any of them, shall be paid by such person.

(2) Such costs shall be ascertained and certified by the Secretary according to column I of the Schedule of the Rules of the Supreme Court of Alberta, relating to costs, and the member shall forthwith pay the Association the costs ordered to be paid and certified as aforesaid.

**8.** The Executive Council may demand from any person requesting an inquiry, and before undertaking the same, a reasonable sum as a deposit to cover the necessary costs and expenses, and, in case the complaint is found to be frivolous or vexatious, the deposit may be so applied; otherwise the deposit shall be returned to the person making the same.

**9.** The Executive Council, on the recommendation of the Discipline Committee, may order to be paid out of the funds at its disposal, to any person against whom a complaint has been made, which complaint has been found to be frivolous or vexatious, such costs as it deems just.

**10.** The Executive Council may, and upon written application of any three members shall, make a preliminary investigation into the facts regarding such conduct of any member as is set forth in Section 4 hereof; and if the facts justify a more thorough investigation the Executive Council shall order an investigation by the Discipline Committee as heretofore provided.

**11.** The testimony of witnesses may be taken under oath, which the chairman or acting chairman of the Committee is hereby authorized to administer and there shall be full right to cross-examine all witnesses called and to adduce evidence in defence and reply.

**12.** For the purpose of procuring the attendance of any person as a witness before the Discipline Committee, the Discipline Committee may serve such person with a notice requiring him to attend before the Committee, which notice shall be served in the same way and have the same effect as a notice requiring the attendance of a witness at the hearing or trial of an action, and the production by him of documents; but no such person shall be compelled under any such notice to produce any document which he



## Discipline

could not be compelled to produce on the trial of an action, and the penalties in the case of disobedience to any such notice aforementioned shall be the same as obtain in civil cases in any Court of Law.

**13.** (1) In the event of non-attendance of the person whose conduct is the subject of inquiry, the Discipline Committee may, upon proof of service of the notice above referred to in accordance with the provisions of Section 2, subsection (3) hereof, which proof of service may be by affidavit or statutory declaration, proceed with the inquiry and, without further notice to such person, make a report of their findings or take such other action as they are authorized to do under these By-laws.

(2) In any case in which the person whose conduct is the subject of inquiry does not appear and the Discipline Committee determine to proceed in his absence, and in any other case with the consent in writing of that person, the Committee may, either as to the whole case or as to any particular fact or facts, proceed and act upon evidence by affidavit.

**14.** Any person who has been suspended or expelled from membership in the Association, or otherwise disciplined, or whose certificate has been suspended or cancelled on the advice of the Executive Council, may appeal to the Teaching Profession Appeal Board at any time within six months of the date of such suspension or expulsion from membership or such suspension or cancellation of certificate; and the Board may upon the hearing of the appeal make such order to the Executive Council as to restoration of membership or make such recommendation to the Minister as to restoration of certificate, or confirmation of the suspension or cancellation, or for further inquiries by the Discipline Committee or the Executive Council into the facts of the case, and as to costs, as shall be just.

**15.** The appeal shall be by notice which shall be served upon the General Secretary-Treasurer of the Association and such other person or persons as the Board may direct, and shall be founded upon a copy of the proceedings before the Discipline Committee, the evidence taken, the report of the Discipline Committee and the order of the Executive Council in the matter, certified by the General Secretary-Treasurer of the Association; and the General Secretary-Treasurer shall, upon request of any person desiring to appeal, furnish him with a certified copy of all proceedings, reports, orders and papers upon which the Discipline Committee or the Executive Council have acted in making the report complained of, upon payment for the same at the rate of fifteen cents per folio.

**16.** In the event of a teacher appealing to the Teaching Profession Appeal Board against the decision of the Association, the Secretary of the Association shall forward a transcript of the evidence in the hearing, together with the findings of the Discipline Committee thereupon, to the Minister of Education.

**17.** In the event of a teacher serving notice of appeal to The Teaching Profession Appeal Board against the decision of the Executive Council in suspending or expelling such teacher from membership in the Association within ten (10) days of receipt of the notification of the decision of the Executive Council in accordance with By-law No. 6, such suspension or expulsion shall not take effect until the Minister of Education shall have received a copy of the findings of the Teaching Profession Appeal Board and taken such action with respect thereto as he deems just.

**18.** No local group or groups of teachers shall send deputations to the Government or any member thereof, nor bargain in any way with the Department of Education of the Province of Alberta on matters affecting the interests of teachers generally, or implying a change in educational policy without the knowledge and consent of the Executive Council of the Association.

**19.** Unless the context otherwise requires in these By-laws, the words "local group" shall mean: a group of teachers composing the staff of any school district, or a number of staffs of school districts combined, or a local association of the Association.

# The Alberta Teachers' Association

## General By-Laws

### Interpretation

1. In these By-laws unless the context otherwise requires:

- (a) "Association" shall mean The Alberta Teachers' Association referred to in *The Teaching Profession Act*, being Chapter 331, R.S.A. 1955, and amendments thereto.
- (b) "Annual General Meeting" shall mean the Annual General Meeting of the Association.
- (c) "Councillor" shall mean a duly elected representative of a local and one of its delegates to the general meetings of the Association.
- (d) "District" shall mean a district of the Association constituted by the Executive Council as approved by resolution of the Annual General Meeting.
- (e) "Executive Council" shall mean the Executive Council of the Association.
- (f) "Executive committee" shall mean the executive body of a local.
- (g) "Executive secretary" shall mean the executive secretary of the Association.
- (h) "General meeting" shall mean any general meeting of the Association other than the Annual General Meeting.
- (i) "Local" shall mean a local association of The Alberta Teachers' Association constituted by the Executive Council.
- (j) "Member" shall mean a member in good standing of the Association.
- (k) "Secretary" shall mean the secretary or secretary-treasurer of a local.
- (l) "Sub-local" shall mean a unit of a local association constituted by the Executive Council.
- (m) "Teacher" shall mean a person holding a valid certificate of the Minister of Education of the Province of Alberta.
- (n) "Treasurer" shall mean the treasurer of the Association.

2. These By-laws as presently in force, or as altered, amended or repealed from time to time, shall be taken and be deemed to be the governing By-laws of The Alberta Teachers' Association.

## Membership

3. (1) Membership in the Association shall be determined by the provisions of *The Teaching Profession Act*, and amendments thereto. An applicant shall be and become a member of the Association upon enrolment and being issued with the usual certificate of membership signed by the executive secretary and sealed with the Association's corporate seal.

(2) Upon retirement from teaching, a member may, on the resolution of the Executive Council, be declared a life member of the Association. Such a member shall have all the rights and privileges of an ordinary member except the right to vote, and shall be exempt from the payment of fees.

(3) A member of The Alberta Teachers' Association, or other person, who has given meritorious service to the teaching profession and the advancement of education may, on the resolution of the Executive Council, passed by at least a two-thirds majority vote, be declared an honorary member of the Association. Such a member shall have all the rights and privileges of an ordinary member except the right to vote, and shall be exempt from the payment of fees.

(4) Any person as defined in Section 6 of *The Teaching Profession Act*, upon application and payment of the prescribed fee, may become an optional member.

(5) Upon payment of the prescribed fee an unemployed teacher may apply for membership in the Association. Upon enrolment and the issuance of the official certificate of membership he shall be deemed to be in good standing for one year, provided that if within such year he secures employment as a teacher for a continuous period of one (1) month By-law 3(1) will apply, and provided further that he shall not be entitled to vote in the election of the Executive Council.

(6) Any student in the Faculty of Education of the University of Alberta may become a provisional member of the Association upon the payment of such fee as may be prescribed by the Annual General Meeting; a provisional member shall have the same rights, privileges and benefits as any other member, provided however that he shall remain in good standing only until six months after the close of the training term or one month after securing employment as a teacher in a school under the jurisdiction of the Department of Education, and provided further that a provisional member shall not be entitled to vote in the election of the Executive Council.

4.(1) Any member of the Association, who teaches within the boundaries of a local, shall be a member of such local, but if he

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teaches in an area where active participation in a local is impractical he shall be deemed to be a member-at-large.

(2) The Executive Council shall be empowered to declare that a member-at-large shall be a member of such local as it may designate.

### Fees

5. (1) The fees for membership in the Association shall be those recommended by the Executive Council and prescribed from time to time by a two-thirds majority vote of the Annual General Meeting. The payment of fees shall be a condition precedent to membership unless such fees are paid in accordance with Section 11 of *The Teaching Profession Act*, and amendments thereto. Notwithstanding anything contained in these By-laws, the annual fees payable by members will be such as shall provide sufficient revenue for the current year to meet all operating expenses and fixed charges including allocations to trust funds established from time to time.

(2) Until varied pursuant to By-law 5(1) the fees payable shall be computed upon the following basis:

Where the annual salary of a member does not exceed \$3499—\$4.00 per calendar month or \$48.00 per annum.

Where it exceeds \$3499 but does not exceed \$4499—\$4.25 per calendar month or \$51.00 per annum.

Where it exceeds \$4499—\$4.50 per calendar month or \$54.00 per annum.

(3) Ten (10) or more teaching days shall be assessed as a month; less than ten (10) teaching days shall be disregarded.

(4) From the amount paid, the treasurer shall remit to each local the sum of seventy-five (75) cents per calendar month for each member of such local and remittances shall be made as determined by the Annual General Meeting.

(5) In addition to the fees prescribed in the schedule in subsection (2) hereof, a member of a local shall be required to pay such fee as the local of which he is a member may determine.

(6) The schedule of fees payable by optional members shall be in accordance with the following schedule:

Where the annual salary does not exceed \$1999—\$6.00 per annum.

Where it exceeds \$1999 but does not exceed \$2999—\$9.00 per annum.

Where it exceeds \$2999—\$12.00 per annum.

- (7) The fee for membership of an unemployed teacher shall be \$6.00 per annum.

**6.** Notwithstanding anything otherwise in these By-laws contained, the Executive Council may in the event of legal strike or lock-out, involving members of the Association, levy upon and collect from all members not thereby affected an assessment not exceeding \$1.00 per week per member for the duration of the strike or lock-out, and for as long after the strike or lock-out is settled as deemed necessary by the Executive Council. The moneys so collected shall be deemed to be additional membership fees and shall be added to the fund for reserve and emergency herein otherwise established.

### **Local Associations**

**8.** Any twelve members of the Association may apply to the Executive Council to form a local by instructing the pro tem or provisional secretary-treasurer of such proposed local to submit a copy of its proposed constitution and by-laws to the Executive Secretary; the Executive Council may thereupon issue a charter under the seal of the Association constituting the local.

**9.** The administrative body of a local shall be an executive committee composed of a president, vice-president, secretary-treasurer, and as ex-officio members, the councillors of such local.

**10.** The officers of the local and the councillors shall be elected annually by the members thereof not later than December 31, or at such time as the executive committee may direct. Should a councillor resign, cease to be a member of the local which he represents, or for any other reason become unable to act as a councillor during his period of office, the executive committee of the local shall arrange forthwith for the election of his successor

**11.** The councillors to the general meeting of the Association shall hold office throughout the year and each shall:

- (a) attend all sessions of the general meetings of the Association;
- (b) develop reciprocal relations between the members of his local and the general meetings of the Association and the Executive Council by—
  - (i) rendering full reports of the proceedings and decisions of the general meetings of the Association to the general meetings of the local, the executive committee of the local, and meetings of sub-locals, and



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- (ii) generally co-operating with the Executive Council and executive committee of the local.

**12.** It shall be the duty of the local to co-operate with and generally assist each councillor in fulfilling his duties as herein set forth.

**13.** Locals shall hold meetings at least once a year and as often as the same shall be convenient and expedient, and it shall be the duty of the officers to provide a place of meeting and a program or subject for discussion. A quorum shall be determined by the constitution of the local but in no case shall be less than six. The president, on his own initiative, or at the request of the executive committee, or at the request of one of the councillors, or at the request of five (5) members, may call a special meeting and all members shall be notified of the time, place and purpose of such meeting.

**14.** Each local shall, by its secretary or otherwise, make an annual report to the Executive Council at such time or times as the Executive Council may require. Such report shall contain the names of the members of the executive committee and any other information requested by the Executive Council.

**15.** The constitution, by-laws, or rules and regulations of any local shall be subject to revision, addition or disallowance by the Executive Council.

**16.** The majority vote of a regularly called meeting of a local shall control the electoral vote of the local, and the secretary shall promptly notify the executive secretary of the result. The local shall be entitled to one electoral vote for each fifty (50) members or major fraction thereof, provided that a local with fewer than twenty-six members shall be entitled to one electoral vote.

**17.** (1) In cities where more than one local exists, the presidents of the locals shall, immediately upon assuming office, organize an adjustment committee consisting of representatives elected by each and every local in such city.

(2) Where there arises a difference of opinion between such locals in matters of concern to more than one local or group, no pronouncement shall be made to the public or outside bodies thereon until the adjustment committee has considered the dispute or disagreement, announced the consummation of an agreement and presented a case concurred in by all locals or groups. Thereupon an announcement of policy or presentation of case shall be made by and through one person, duly authorized by the adjustment committee.



(3) In the event an adjustment committee finds it is unable to compose such differences among the locals, the adjustment committee or any one of the locals may appeal to the Executive Council, which shall promptly cause enquiry to be made and conference held. Pending the decision of the Executive Council no action shall be taken by any of the locals or members thereof, and no public announcements made.

### **General Meetings**

**18.** The president of the Association shall preside at all general meetings.

**19.** The Association shall be governed by an Annual General Meeting to be arranged by the Executive Council during Easter week of each year, or at such other time as it may determine.

**20.** The Annual General Meeting shall be composed of the Executive Council and duly accredited councillors of locals. Councillors to the meeting shall be members of locals and the number representing a local shall be on the basis of one councillor for every fifty (50) members or fraction thereof, provided that every local shall be represented by at least two (2) councillors.

**21.** The Annual General Meeting shall receive the reports of the Executive Council and may deal with any question arising therefrom; it shall deal with any business brought before the meeting by the Executive Council or by any local or the executive committee or any councillor thereof. At least fifteen (15) days prior to the meeting, the executive secretary shall send to the secretary and councillors of all locals the agenda of business of the meeting.

**22.** By-laws and resolutions involving the expenditure of money of the Association shall be referred to the Executive Council for recommendation or report before being presented to the Annual General Meeting.

**23.** The necessary transportation expenses of councillors to general meetings shall be paid from the funds of the Association.

### **Administration**

**24.** The Executive Council shall be the executive and administrative body of the Association.

**25.** (1) The Executive Council shall consist of fourteen (14) members, namely, the president, the vice-president, the immediate past president, and the executive secretary, and ten (10) district representatives. The president, vice-president and district repre-

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sentatives shall hold office from the time of their installation until their successors have been elected and installed in office. They shall be elected by ballot of the members of the Association as herein provided.

(2) The executive secretary and treasurer and other assistants, if any, shall be appointed by the Executive Council.

**26.** The officers of the Association shall be the president, the vice-president, the immediate past president, and the executive secretary.

**27.** In the absence of the president, the vice-president shall assume his duties, and in the absence of the president and vice-president, the immediate past president shall act as president.

**28.** Seven (7) members of the Executive Council shall constitute a quorum.

**29.** Should a vacancy occur on the Executive Council during the year, the remaining members of the Executive Council may appoint a member of the Association to fill such vacancy.

**30.** The executive secretary shall not be entitled to vote at meetings of the Executive Council or at general meetings of the Association.

**31.** The president and executive secretary shall be ex-officio members of all committees of the Executive Council.

**32.** Any member of the Executive Council who absents himself from two (2) consecutive meetings of the Executive Council shall ipso facto vacate his seat on the Council, unless such absences be sanctioned by resolution at the next regularly called meeting of the Council.

**33.** A person shall be eligible for election to the Executive Council, if at the time of his nomination he:

- (a) is a member in good standing,
- (b) is entitled to vote in the election of the Executive Council, and
- (c) has for not less than four (4) consecutive years immediately preceding his nomination been a member of the Association or a member of any other affiliated organization of the Canadian Teachers' Federation,

provided that a period of unemployment as a teacher during such years shall be deemed to be a period of membership for the purpose of this By-law.

**34.** The members of the Executive Council shall receive remuneration as the Association may in general meeting vote for that purpose, and in addition to such remuneration, if any, the members of the Executive Council shall be paid all travelling and other expenses incurred while on business of the Association.

**35.** The Executive Council may, subject to the provisions of *The Teaching Profession Act*, exercise all powers of the Association as are not expressly directed or required to be exercised in general meeting, provided however that no by-law made or action taken by the Association in general meeting shall invalidate any prior act of the Executive Council which was valid at its inception.

**36.** The Association shall be the bargaining agent for its members pursuant to the provisions of *The Alberta Labour Act*, being Chapter 167 of *The Revised Statutes of Alberta*, 1955, and amendments thereto. The Association shall assume the duties of a bargaining agent only upon written request from the secretary-treasurer of a local.

#### Elections

**37.** Except as herein otherwise provided each member, who has paid his fees for the month of November preceding each election of the Executive Council, shall be entitled to vote in such election.

**38.** (1) One-half of the members of the Executive Council other than officers shall be elected annually and shall hold office for a period of two years from the date of the first executive meeting following their election.

(2) For purposes only of the election immediately following the passage of this By-law, one-half of the districts of the Association shall elect a representative to hold office for a period of two years as aforesaid, and one-half of the districts shall elect a representative for a period of one year. The Executive Council shall by lot determine which districts shall elect one-year representatives and which districts shall elect two-year representatives.

**39.** A notice calling for nominations shall be mailed to the secretary of each local not later than February 1. The notice shall state the offices for which the local may nominate candidates and that the candidates must accept in writing. Such notices shall be accompanied by nomination forms, candidates' acceptance forms, and a full set of rules governing nominations.

**40.** Any local by resolution at a regularly called meeting or at a meeting of the executive committee thereof, shall be entitled to

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nominate one (1) member as a candidate for election to the office of president, one (1) member as a candidate for election to the office of vice-president, and one (1) member as a candidate for election to the office of district representative for the district of which the local forms a part. Subject to the provisions of By-law 42, any member of the Association may be nominated for the office of president and vice-president. For the office of district representative a local may nominate one of its own members or one of the members of another local in the same district.

**41.** Subject to ratification by the Annual General Meeting, the boundaries of the districts which elect the district representatives shall be determined by the Executive Council.

**42.** To be eligible for nomination as a candidate for the office of president, the proposed nominee shall have served previously as a member of the Executive Council.

**43.** Nominations and acceptances must be received by the executive secretary not later than forty (40) days prior to the first day of the Annual General Meeting.

**44.** Upon receipt of any nominations a statement of such receipt shall be mailed to the nominee and to the secretary of the nominating local, and the nominee shall be notified that he may be present at all meetings of the scrutineers committee, either in person, or by agent duly authorized in writing.

**45.** An alphabetical list of the names of members of the Association, in good standing as at November 30 in every year, shall be published in the month of February next following and a notice shall be inserted in two consecutive issues of *The ATA Magazine* informing the members of how such a list shall be published. Should the name of a member be improperly omitted from the list it shall be such member's responsibility to notify the executive secretary promptly, who shall thereupon place the member's name on the list.

**46.** There shall be two (2) returning officers, who shall be the executive secretary and the immediate past president, provided that if the immediate past president is a candidate for re-election the president shall appoint a member of the Association as the other returning officer.

**47.** The scrutineers committee shall consist of the returning officers and each candidate or his authorized agent.

**48.** The returning officers shall develop a device or system, the key to which shall be unknown to any others, in an endeavour to

guarantee that any returned ballot shall have been originally mailed by the executive secretary, provided that there shall be no marking or other evidence on the ballot which may in any way impair the secrecy of the ballot.

**49.** Not less than twenty-one (21) days prior to the first day of the Annual General Meeting the executive secretary shall mail two (2) ballots to every member entitled to vote. One ballot shall be for the election of president and vice-president, and the other for the election of district representative. The names of the nominating locals shall not appear on the ballots, but the same shall be published in *The ATA Magazine*.

**50.** The ballots shall be mailed in plain, sealed envelopes which shall also contain an envelope addressed to a post office box as herein provided.

**51.** Provisions concerning elections necessary for the assistance of voters in marking their ballots shall be published in an issue of *The ATA Magazine* before the election.

**52.** Where there are more than two (2) candidates for any office, the transferable form of ballot shall be used, whereby the voter votes one (1), two (2), three (3), etc., in the order of his choice. In cases where there are but two (2) candidates, the cross may be used.

**53.** The ballots shall be sealed in the said pre-addressed envelope provided and mailed to the designated box number either at Edmonton or Calgary, according to whether the Annual General Meeting is held at Edmonton or Calgary, so as to be received not later than 9:00 a.m. on the Wednesday following Easter Monday. No ballots shall be accepted by the scrutineers committee from the post office until the morning of the third day of the Annual General Meeting.

**54.** The scrutineers committee shall begin counting ballots at 9:00 a.m. on the third day of the Annual General Meeting.

**55.** The scrutineers committee shall decide by a majority vote whether a ballot is valid or not, subject, however, to appeal by any candidate or his agent to the Executive Council within thirty (30) days thereafter. The decision of the Executive Council shall be final and binding in all cases.

**56.** The scrutineers committee shall accept as valid any ballot on which the intention of the voter is clear and evident.

**57.** In the case of a tie vote, the president shall have a second or casting vote.

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**58.** The returning officers shall render to the president a statement signed by them showing the number of votes cast for each candidate.

**59.** The result of the voting shall be announced by the president at the last session of the Annual General Meeting and the newly elected members of the Executive Council shall be installed and assume office forthwith.

**60.** After the counting, all the ballots shall be placed by the scrutineers committee in a container which shall be sealed. They shall be retained for a period of not less than thirty (30) days following the election, whereupon they shall be destroyed unless required by the Executive Council for a recount on appeal. At the conclusion of the recount on appeal they shall be destroyed.

**61.** (1) The following persons shall be entitled to appeal for a recount of the vote which shall be conducted in accordance with the provisions of this By-law:

- (a) any defeated candidate (hereinafter called appellant) for the office of president or vice-president for whom the number of ballots cast, as counted by the returning officers, was not more than fifty (50) less than the number cast for the successful candidate,
- (b) any defeated candidate (hereinafter called appellant) for the office of district representative for whom the number of ballots cast, as counted by the returning officers, was not more than ten (10) less than the number cast for the successful candidate.

(2) Such appeal for a recount shall lie to the Executive Council or such committee thereof as may be appointed for such purpose, which committee shall consist of not less than three (3) members of the Executive Council.

(3) The appellant shall within twenty-one (21) days of counting of the ballots file with the executive secretary:

- (a) a notice of his intention to appeal for recount of the vote by the Executive Council,
- (b) a statutory declaration setting forth that in his opinion the returning officers, in counting the ballots, improperly counted or rejected a ballot paper, or made an incorrect statement of the number of ballots cast for or transferred to any candidate or improperly added up the votes.

(4) Upon receipt of the said notice of intention and statutory declaration the executive secretary shall arrange with the Exec-



utive Council for a time and place for a recount of the vote and shall within twenty-one (21) days of the receipt of the said notice of intention notify the appellant of such time and place.

(5) The appellant shall forthwith or executive secretary shall also by registered mail notify all candidates who may be affected of such time and place and shall state that they have a right to be present personally or by agent at the said recount.

(6) At the time and place appointed, the Executive Council or such committee as may have been appointed for the purpose, after being satisfied that the foregoing procedure has been complied with, shall proceed to recount the ballots relative to the appeal.

(7) The persons entitled to be present at such recount shall be the members of the Executive Council, the executive secretary, the appellant or his agent appointed in writing, and all other candidates who may be affected thereby or their agents appointed in writing.

(8) The result of the recount shall be determined by the majority vote of the Executive Council or its committee appointed for the purpose, and their decision shall be final and binding on all parties, provided that the officer or member of the Executive Council whose office or membership is in question shall not participate in the count.

(9) The result shall be communicated to the executive secretary, who shall thereupon announce the result of the recount and shall cause the said announcement to be printed in the next issue of *The ATA Magazine*.

(10) In the event that an appellant is successful, the candidate who has been improperly installed in office shall no longer be an officer or member of the Executive Council, as the case may be, and the successful appellant shall assume office or attain membership on the Executive Council in his stead.

**62.** Except as herein otherwise provided, the executive secretary shall be responsible for the sending out of the prescribed notices, the preparation of the list of those entitled to vote, clerical work and other incidental matters.

### **Accounts**

**63.** The Executive Council shall cause true accounts to be kept of the sums of money received and expended by the Association and of all matters in respect of which receipts and expenditures take place, and of the assets and liabilities of the Association. Such books of account shall be kept by the treasurer at such place or places as the Executive Council may direct.

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**64.** The Executive Council shall appoint auditors of the Association who shall make an annual audit of the books and accounts of the Association for each fiscal year and prepare and submit to the Executive Council an appropriate financial statement.

### **Trust Funds**

**65.** The general funds of the Association shall be subject to appropriations by the Executive Council as hereinafter provided for the purpose of establishing and maintaining trust funds for scholarships, libraries, and research facilities and other objects and purposes beneficial to the members of the Association.

**66.** The Executive Council shall be charged with the administration of the said trust funds and subject to the other provisions of these By-laws and such regulations as it may make from time to time shall appropriate, invest, disburse, maintain, and manage the same in its sole and uncontrolled discretion.

**67.** The amounts which may be appropriated from the general funds for the trust funds in any one year shall not exceed:

\$1,000 for scholarships and bursaries,

\$1,000 for libraries,

\$1,000 for research, and

\$10,000 for reserve and emergency.

The total amount so appropriated in any one year shall be one of the fixed charges of the Association.

### **Investments**

**68.** The Executive Council shall invest the Association's general funds not required for current operations and its trust funds in securities of a kind and in proportion allowed under *The Canadian and British Insurance Companies Act*.

### **Amendments to By-laws**

**69.** Alterations, additions, repeals and amendments of and to the By-laws may be proposed by the Executive Council or the Annual General Meeting or any local.

**70.** Any amendment proposed by the Annual General Meeting or a local (which shall be deemed to express the principle in draft form) shall be considered by the Executive Council at its first meeting following the last day of May. Thereupon, the Executive Council shall have the right to determine the final draft of such

proposed amendment, provided however that the Executive Council shall not alter the principle, or purpose, or intention of such proposed amendment. Upon determination of such final draft or of the Executive Council's own proposed amendment, the Executive Council shall instruct the executive secretary to prepare copies thereof for submission on an electoral ballot form to the locals.

**71.** An electoral ballot form embodying the proposed amendment shall be mailed by the executive secretary to the secretary of each local not later than the last day of September.

**72.** At the first general meeting of the local thereafter, the executive committee shall submit the proposed amendment to the members. A majority of the members present thereat shall determine the electoral vote of the local, the result of which shall be transmitted to the executive secretary on or before such date as may be specified by the Executive Council.

**73.** If it is proposed to effect more than one by-law or clause or part thereof, the executive secretary shall prepare the electoral ballot in such a manner that the members may vote separately for or against each such proposed change.

**74.** The result of the electoral vote shall be reported by the executive secretary to the next Annual General Meeting. If a majority of the electoral vote favours the amendment or any part thereof, the same shall be submitted to the vote of the Annual General Meeting not later than the second day thereof.

**75.** A two-thirds majority vote at the Annual General Meeting shall be required to adopt any proposed amendment of these By-laws.

**76.** At the meeting of the Executive Council next following the Annual General Meeting the executive secretary shall present the amendment which was adopted by the Annual General Meeting. Thereupon the Executive Council shall declare that the By-laws be amended accordingly and such amendment shall come into force upon the day on which such declaration is made.

# Rules of Procedure

The Alberta Teachers' Association is incorporated under *The Teaching Profession Act*. Section 9 provides that the Association in General Meeting may pass By-laws not inconsistent with the provisions of this Act or any Act or regulation of the Province of Alberta concerning the conduct of the affairs of the Association and any local thereof.

In pursuance of the foregoing powers vested in the Association by the Act aforesaid, The Alberta Teachers' Association hereby enacts the following rules to be known hereafter as the "Rules of Order and Procedure for the Alberta Teachers' Association."

## Defining and Interpretative

**1.** This rule and all the rules which herein follow, each and every one of them shall govern the proceedings of all meetings of The Alberta Teachers' Association, whether general, special or in committee, standing, special, or of the whole; and of all meetings of any and every chartered local association, whether general, special or in committee, standing, special, or of the whole.

Providing, however, that certain rules to be hereinafter set forth shall apply only to meetings in committee, or otherwise, as set forth.

**2.** In this and the following rules herein the term "meeting" shall mean any meeting, general, special or in standing or special committee, of The Alberta Teachers' Association, or of any regularly chartered Local Association; the term "Association" shall mean either The Alberta Teachers' Association or any regularly chartered Local Association; the term "Executive" shall mean the Executive Council of The Alberta Teachers' Association, or the collective body of executive officers of a Local Association; the term "President" shall mean either the President or any person who, under the Constitution of The Alberta Teachers' Association or of any regularly chartered Local Association, occupies for the time being the position of President, or functions for the time being in the capacity of President; and the term "Rules" shall mean the "Rules of Order and Procedure for the Alberta Teachers' Association."

**3.** In all cases not expressly provided for in these rules which arise in the proceedings of a meeting of the Association, the law of parliament shall be followed; and in this regard "*Beauchesne's Parliamentary Rules and Forms*", Second Edition by Arthur Beauchesne, shall be the textbook.

Quorum

4. The presence of at least twenty duly accredited councillors from Local Associations, not including the President or Chairman, shall be necessary to constitute a meeting of The Alberta Teachers' Association, whether general, special, or in committee of the whole, for the exercise of its powers.
5. If on the appointment of a standing or special committee, or of a sub-committee, the number of members of such committee or sub-committee necessary to compose a quorum be not fixed immediately at a certain number, then the number of members necessary to form a quorum shall be taken to be not less than a majority of the members of the said committee or sub-committee.
6. Unless otherwise provided in the Constitution of a Local Association, a majority at least of the members shall be necessary to form a quorum at any meeting, regular or special, of the Local Association.
7. When the attention of the President is called to the want of a quorum he shall proceed to count the members present, and if there is no quorum the Secretary or other recording officer shall take down the names of the councillors or members then present, and the time when the President so adjourned the meeting. The meeting shall thereupon stand adjourned until the time fixed for the next sitting, or until such time as the Executive may order.
8. If it be shown by a division or otherwise that no quorum is present in a committee of the whole, the Chairman shall count the members and leave the chair, when the President will again count the house. If there is not a quorum present he will adjourn the meeting as in Rule 7 above.
9. If there be no quorum within thirty minutes after the hour appointed for the meeting of the Association, the Secretary or other recording officer shall call the roll and take down the names of councillors or members then present. The meeting shall thereupon stand adjourned until the time fixed for the next sitting or until such time as the Executive may order.
10. When any order, resolution or question shall be lost by a meeting of the Association, or a committee thereof, for want of a quorum, the order, resolution or question so lost shall be the first business to be proceeded with and disposed of at the next sitting or meeting, under that particular head.

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### Order of Business

**11.** The following shall be the order of business at a General Meeting of The Alberta Teachers' Association:

1. Calling the roll of duly accredited councillors from Local Associations. (This need not be done at the beginning of each of the several successive sittings but only at the beginning of the session.)
2. Reading of the minutes of the last regular meeting and approving of same.
3. Appointment of Committees.
4. Addresses of welcome.
5. Fraternal delegates.
6. Petitions and Memorials, and the referring of same.
7. Reports of Officers:
  - (a) President
  - (b) General Secretary
  - (c) Treasurer.
8. Reports of Annual General Meeting Committees.
9. Reports of Executive Council Committees.
10. Report on Electoral Votes.
11. Annual Report of Board of Administrators, Teachers' Retirement Fund.
12. Resolutions.
13. Election of Officers.
14. Miscellaneous.

**12.** The Agenda or Order Paper or General Orders of the Day of a General Meeting of The Alberta Teachers' Association shall follow the order of business set forth under Rule 11 above; and a copy of the said Agenda or Order Paper or General Orders of the Day shall be placed at the beginning of each meeting, and of each sitting thereof, in the hands of each and every councillor.

**13.** All orders, questions, resolutions, or motions called in pursuance of the Agenda or Order Paper or General Orders of the Day and not disposed of, shall be placed at the foot of the list, unless otherwise decided by the meeting.

**14.** No motion shall be received and discussed at a General Meeting of The Alberta Teachers' Association for introducing new matter which does not appear on the agenda or printed list of



resolutions, other than matters of privilege and bringing up petitions unless, however, this rule be suspended by a two-thirds vote of the councillors present, without debate.

**15.** The regular order of business of a General Meeting of the Alberta Teachers' Association may be suspended at any time by a two-thirds vote of the councillors present, without debate, to receive the report of a committee or for the transaction of special business.

**16.** The following shall be the order of business at a regular meeting of a Local Association:

1. Roll call of members.
2. Reading of minutes of the last regular meeting and of interim special meetings, and approving of same.
3. Business arising from the minutes.
4. Official communications from the Executive Council of the Association.
5. Ordinary communications and the referring and disposal of same.
6. Reports of officers.
7. Report of committees.
8. Resolutions and motions.
9. Election of officers.
10. Miscellaneous.

**17.** The following shall be the order of business at a special meeting of a Local Association:

1. Roll call of members.
2. Official communications from the Executive Council of the Association.
3. The special business for which the meeting was called.

**18.** The agenda for each regular or special meeting of a Local Association shall be prepared by the Executive; it shall follow the order of business prescribed under Rules 16 and 17 above, and shall appear on the notice calling the meeting.

**19.** No new matter, other than such as appears on the agenda, or matters of privilege, or the bringing up of petitions, shall be introduced at a regular or special meeting of a Local Association, unless either a notice of motion shall have been given at the last regular meeting or three clear days' notice in writing shall have been given by the Secretary, or other member, to all the members of the Local.

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**20.** Rules 12, 13 and 15 shall apply *mutatis mutandis*, to all regular or special meetings of a Local Association; but Rules 14 and 21 shall not apply.

## Suspension of Rules

**21.** Any one or more of these rules and orders may be temporarily suspended by a vote of two-thirds of the councillors present at a general meeting of The Alberta Teachers' Association; but they shall not be repealed, altered, or amended without notice.

**22.** Any one or more of these rules and orders may be temporarily suspended by a vote of the members of a Local Association present at a regular or special meeting; provided, however, that the number of members voting in favour of suspension of these rules must be two-thirds of the total number of members of the Local Association who are in good standing; and provided further that under no circumstances shall it be competent for a Local Association to repeal, alter, or amend these rules.

## Opening Proceedings

**23.** Promptly at the hour appointed for the meeting the President shall take the chair. If he has ascertained that a quorum of councillors or members are present, he shall immediately call the councillors or members to order and shall direct the Secretary or other recording officer to call the roll of councillors or members and to proceed with the reading of the minutes.

**24.** In the absence of the President, the Vice-President, or Past President, or other member of the Executive shall preside; and these officers shall act in the order of precedence in which they are here named. The officer who, for the time being, presides at the meeting shall perform all the duties and functions and exercise all the rights, privileges and prerogatives of the President.

## Minutes

**25.** The minutes of the last regular meeting shall be read by the General Secretary, or other recording officer, in order that any mistake therein may be corrected by the meeting; provided, however, that the meeting may, by a majority vote, dispense with the reading of the minutes.

**26.** After the reading of the minutes they may then be corrected; but it shall not be competent for a councillor or member to raise a discussion on the policy or merits of a question when attention is called to an error in the entry; no remarks are relevant

unless in reference to a particular error and to a necessary correction of such error.

**27.** The General Secretary is responsible for recording the minutes of the proceedings of all meetings of the Association and for the production of the same at the beginning of each general or regular meeting; provided, however, that in the absence of the General Secretary the meeting shall appoint a Recording Secretary pro tempore.

**28.** It shall be the duty of the General Secretary to make such marginal references on the minutes as may be necessary, and to correct or amend an inaccurate minute or erroneous record.

**29.** No minutes shall be read at a special or emergency meeting, but all minutes of such meetings shall be read at the next regular meeting.

**30.** Minutes shall be approved after corrections, if any, have been made. The motion put from the chair shall be "That the minutes be now signed as a correct record of the proceedings of the meeting held on \_\_\_\_\_."

**31.** The minutes when signed by the President shall be deemed to be an authoritative record of the business of the Association.

### Duties of the President or Chairman

**32.** The President or Chairman shall preserve order and decorum, and decide questions of order, subject to an appeal of the meeting. It shall be his duty to interrupt a councillor or member who makes use of any language which is clearly out of order.

**33.** When the President or Chairman is called upon to decide a point of order or practice, the point shall be stated succinctly and without unnecessary comment, and the President or Chairman shall give his decision succinctly, and cite the rule or authority applicable to the case.

**34.** Whenever the President or Chairman is of opinion that a motion offered to the meeting is contrary to the rules and privileges of the meeting, or of the councillors or members thereof, he shall apprise the meeting thereof immediately before putting the question thereon, and quote the rule or authority applicable to the case.

**35.** All questions arising in a meeting of the Association, or in any committee thereof, whether standing, special or a committee of the whole, shall be decided by a majority of votes other than that of the President or Chairman; and when there is an equality of votes, but not otherwise, the President or Chairman shall have a

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casting vote. He may, if he sees fit, explain his vote; and any reasons stated by him shall be entered in the minutes.

**36.** The President, being the chief executive officer of the Association, and entrusted with the general conduct of its affairs, shall at the meeting of the Association, in addition to his duty to give decisions on points of order or business, have in his discretion the right to give explanations from the chair of measures and questions affecting the body, or the right to state matters of fact within his knowledge for which the body has occasion. He shall, when in the chair, treat a question in a judicial spirit, and shall not take part in the debate.

**37.** The President or Chairman at a meeting of the Association shall have in his discretion the right to leave the chair for the purpose of taking part in the debate, or for any other reason. The President shall in such case call on one of the other chief officers, as provided under Rule 24, to fill his place until he resumes the chair. The Chairman shall in like case call on one of the chief officers, or other councillor or member.

## Rules of Conduct and Debate

**38.** Every councillor or member, before speaking to any question or motion, shall rise from his seat, uncovered, and shall address himself to Mr. President or Mr. Chairman, as the case may be.

**39.** No councillor or member shall speak disrespectfully of Her Majesty the Queen, or of any of the royal family, or of the Governor-General, Lieutenant-Governor or person administering the government of the Dominion or of this Province; nor shall he use abusive or offensive words in or against the Association, or against any member thereof; nor shall he speak beside the question in debate; and no member shall reflect upon any vote of the Association except for the purpose of warning that such vote be rescinded; nor shall he resist the rules of the Association on questions of order or practice, or upon the interpretation of the rules of the Association; and in case any member shall so resist or disobey, he shall be admonished by the President or Chairman; and if he offend again he may, on the order of the President or Chairman, be excluded from the room or meeting, and shall be dealt with afterwards as the Association or its Executive may determine; but in the case of ample apology being made by the offender, he may, by vote of the meeting, be permitted forthwith to take his seat.

**40.** When the President or Chairman is putting the question no councillor or member shall walk across or out of the room or make any noise or disturbance; nor when a councillor or member is

speaking shall any other councillor or member pass between him and the chair, or interrupt him, except to raise a point of order.

**41.** A councillor or member called to order from the chair shall immediately sit down, but may afterwards explain; and the meeting, if appealed to, shall decide the case, but without debate; if there be no appeal the decision of the President or Chairman shall be final.

**42.** When he believes that a rule or usage has been violated by a motion or in a speech, it is the right of a councillor or member to rise and call another councillor or member to order. He may interrupt another councillor or member who is speaking with the words, "I rise to a point of order." The President or Chairman will then say, "Please state your point of order." The objecting councillor or member shall do this succinctly and clearly and shall not, under cover of his objection, proceed to wander beyond it and touch upon the question under debate. The President or Chairman may, in case of special difficulty, ask opinion of councillors or members, but shall himself decide the point of order, as provided under Rule 33. If the objecting councillor or member is not satisfied with the decision he may rise and say, "I appeal from the decision of the chair." The President or Chairman shall then give the terms of his decision and the point of appeal, and put the question, which is undebatable: "The question is now, shall the decision of the chair stand as the judgment of this meeting?"

**43.** When a councillor or member is in possession of the meeting, he cannot be deprived of it without his own consent, unless some question of order or privilege should arise, in which case he must sit down until such question has been disposed of.

**44.** A councillor or member may rise to a question of order or privilege at any time; but he shall not be permitted to move an adjournment of the meeting or of the debate, under cover of such question.

**45.** While a councillor or member is addressing the meeting no one has a right to interrupt him by putting a question to him, or by making or demanding an explanation.

**46.** Any councillor or member may require the question under discussion to be read at any time of the debate, but not so as to interrupt a member while speaking, nor for the purpose of obstruction or delay of the progress of business.

**47.** When two or more councillors or members rise to speak, the President or Chairman shall name the one who, in his opinion, first rose from his seat; but a motion may be made that any councillor

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or member who has risen "be now heard," or "do now speak," and the question shall be put without debate.

**48.** No councillor or member shall speak more than once to the same question without leave of the meeting, given, if necessary, by a majority vote on motion duly made and put; but he may explain a material part of his speech which may have been misconceived, and in doing so he shall not introduce new matter.

**49.** A reply is allowed to a councillor or member who has made a substantive motion to the meeting, but not to any councillor or member who has moved an order of the day, an amendment, the previous question, or an instruction to a committee.

**50.** No councillor or member, without leave of the meeting, given if necessary, by a majority vote on motion duly made and put, shall speak to the same question, or in reply, for longer than ten minutes.

**51.** If at any session or in committee of the whole, any member shall take notice that strangers are present, the President or Chairman, as the case may be, shall forthwith put the question, "That strangers be ordered to withdraw," without permitting any debate or amendment; provided that the President or Chairman may, whenever he thinks fit, order the withdrawal of strangers.

## Motions in General

**52.** All motions shall be in writing and seconded before being debated or put from the chair; but purely formal motions of routine business, such as to adjourn the meeting or debate, to lay on the table, to commit or recommit, to postpone, to proceed to the orders of the day, for previous question, etc., may be made *viva voce*.

**53.** No motion shall be deemed to be regularly before the meeting until it has been read or proposed from the chair, when it becomes a question.

When the meeting is in this way formally seized of a question, the question may be debated, amended, superseded, resolved in the affirmative or passed in the negative; but by leave of the meeting, given, if necessary, by a majority vote on a motion duly made and put, the motion may be withdrawn at any time before decision or amendment.

**54.** A motion for commitment, until it is decided, shall preclude all amendments of the main question; but it shall be quite in order to reject the motion to go into committee thereon, or to propose a motion against the principle of such bill or question, which, when carried, will prevent committal.



**55.** All motions shall commence with the word "That"; and no motion shall have a preamble.

## Reconsideration and Rescission

**56.** When a subject matter or question has been indefinitely postponed, it cannot again, during the same session, be taken up and considered; nor can a subject matter or question which the meeting has refused to consider be taken up at that session.

**57.** After any question has been decided at a general meeting of The Alberta Teachers' Association, any councillor who has voted with the prevailing side may, at the same meeting, move for a reconsideration thereof, but no discussion of the main question shall be allowed until the question of reconsideration has been resolved in the affirmative by a three-fourths majority vote of the councillors or members present.

No question shall be reconsidered more than once, nor shall a vote to reconsider be reconsidered.

As soon as notice of reconsideration is given, no action shall be taken by the meeting on the main question until such reconsideration is disposed of.

**58.** No question or motion can regularly be offered if it is substantially the same with one on which the judgment of the meeting has already been expressed during the current session.

**59.** A negative vote may, in a manner, be revoked by proposing another question, similar in its general purport to the one which has been rejected, but with sufficient variance to constitute a new question; and the meeting shall determine whether or not it is substantially the same question.

**60.** After any question, except one of indefinite postponement, has been decided at any regular or special meeting of a Local Association, any member may, at the same time or at the first regular or special meeting held thereafter, move for a reconsideration thereof, but no discussion of the main question shall be allowed unless reconsidered, and there shall be no reconsideration unless written notice of such reconsideration be given at the meeting at which the main motion is carried, and after such notice is given no action shall be taken by the meeting or Executive on the main motion until such reconsideration is disposed of.

If the motion for reconsideration be not made until the next meeting, the question shall not be reconsidered unless a majority of the total membership of the Local Association vote therefor. No question shall be reconsidered more than once, nor shall a vote to reconsider be reconsidered.

## Rules

**61.** A motion to repeal or rescind a resolution of a Local Association shall be offered in writing and announced at a regular meeting at least one week before action shall be taken thereon, and shall only be in order when the motion to reconsider is no longer available.

**62.** By a two-thirds majority vote on a motion duly made and put, a general or regular meeting of the Association may waive notice of any motion brought before it, relating to the formal business or arrangements of the meeting, or some matter of urgency.

**63.** No motion or amendment shall be proposed which anticipates a matter already appointed for the consideration of the meeting.

**64.** If a motion has been negatived, it cannot be afterwards proposed in the shape of an amendment.

### Dilatory Motions

**65.** The following motions shall always be in order, and shall have precedence in the order in which they are named:

- (a) to adjourn the house or meeting,
- (b) to adjourn the debate,
- (c) to proceed to the next order of the day,
- (d) for the previous question.

**66.** A motion to adjourn the meeting or to adjourn the debate shall always be in order, except in committee of the whole; but no second motion to the same effect shall be made until after some intermediate proceeding shall have been had. The motion must be simply in the form, "That the meeting do now adjourn," or "That the debate be adjourned."

**67.** When the motion to adjourn is made as a dilatory motion to supersede a question, it shall not be competent to move an adjournment to a future date or to propose an amendment to the question of adjournment. But when a motion to adjourn is made in the interval of proceedings, it is a substantive motion to which a reply shall be permitted to the councillor or member who moves it. An amendment may be proposed, provided such amendment relate only to the question of time.

**68.** The motion "to proceed to next order of the day," and the motion for the previous question are each debatable but are neither of them subject to amendment.

**69.** The previous question may not be proposed when an amendment to the main question is pending, nor can an amendment to the main question be proposed after a motion for the previous question. But if the amendment be withdrawn, or resolved in the affirmative, or passed in the negative, the motion for the previous question is in order.

**70.** The previous question, until it is decided, shall not preclude debate on the main motion. It shall be put in the form, "That the main question be now put," and if this motion be resolved in the affirmative then the main question shall be put forthwith without amendment or debate; but if the previous question be passed in the negative then the meeting shall proceed to other business.

**71.** A motion for commitment, until it is decided, shall preclude all amendments of the main question; but it shall be quite in order to reject the motion to go into committee thereon, or to propose a motion against the principle of such question, which, when carried, will prevent committal.

**72.** When a question is under consideration, a motion may be received:

- (a) to lay it on the table,
- (b) to postpone it indefinitely,
- (c) to postpone it to a given time,
- (d) to commit, refer, or recommit,
- (e) to amend.

These several motions shall have precedence in the order in which they are named.

Of these motions:

- (a) is neither amendable nor debatable,
- (b) is debatable, but not amendable,
- (c) is debatable, and amendable,
- (d) is debatable, but not amendable
- (e) is both amendable and debatable.

The previous question may be moved on (b), (c), or (d), but it is then applicable only to the one of these motions on which it is moved.

## Amendments

**73.** Amendments shall be put in the reverse order to that in which they are moved, except in filling up blanks, when the longest time and the smallest sum shall be put first.

## Rules

**74.** Every amendment submitted shall be reduced to writing, and shall be decided or withdrawn before the main question is put.

**75.** Only one amendment shall be allowed to an amendment, and any amendment more than one must be to the main question.

**76.** An amendment may propose:

- (a) to leave out certain words,
- (b) to leave out certain words, in order to insert or add others,
- (c) to insert or add certain words.

**77.** The sentence or paragraph to be amended shall first be read as it stands; then the words proposed to be struck out and those to be inserted; and, finally, the sentence or paragraph as it would stand if it were so amended.

**78.** Amendments must be relevant to a motion or question; if they are on the same subject matter with the original they are admissible, but not when foreign thereto.

**79.** Every councillor or member may move an amendment without giving notice thereof.

**80.** When the house has agreed that certain words shall stand, the President or Chairman shall again propose the question in these words, "Is it the pleasure of the house to adopt the main motion (or question) so amended?"

**81.** An amendment once negatived cannot be proposed again.

**82.** When the house agrees that certain words shall stand part of the question, it is irregular to propose any amendment to these words, as the decision of the house has already been pronounced in their favour, but this rule would not exclude an addition to the words, if proposed at the proper time.

**83.** When the house or meeting have agreed to add or insert words in a question, their decision may not be disturbed by any amendment of these words; but here again other words may be added.

**84.** When a proposition or question before the house or meeting consists of several sections, paragraphs, or resolutions, the order of considering and amending it is to begin at the commencement and to proceed through it in course by paragraphs; and when a latter part has been amended, it is not in order to recur back and make any amendment or alteration of a former part.

**85.** If an amendment be resolved in the affirmative, it will not be competent to move that it be struck out, in whole or in part.

**86.** Amendments may, however, be proposed to add words to the main motion or amendment, as amended.

**87.** No addition can be made to a question after the house has decided that the words proposed to be left out should stand part of the question.

# The Teachers' Retirement Fund Act

(CHAPTER 330, R.S.A., 1955)

1. This Act may be cited as "*The Teachers' Retirement Fund Act*".

## Interpretation

2. In this Act,

- (a) "Board of Administrators" means the Board of Administrators of the Teachers' Retirement Fund appointed and constituted under this Act;
- (b) "Fund" means the Teachers' Retirement Fund established under this Act;
- (c) "salary" means all compensation, including any bonus or other allowance, paid to a teacher by the board of trustees of a school division or school district for the discharge of his regular and ordinary duties as teacher, and for such other duties regularly performed by him as in the opinion of the Board of Administrators form a proper part of school activities, whether or not such other duties are extra-curricular;
- (d) "teacher" means any person who holds a valid certificate of qualification issued under the regulations of the Minister of Education and who is employed
  - (i) by the board of trustees of a school district or division, constituted under *The School Act*, in the capacity of
    - (a) a teacher, or
    - (b) a librarian devoting his full time to the work of a school,or by the Lloydminster Public School District and the Lloydminster Roman Catholic Separate School District in the capacity of a teacher
  - (ii) as a superintendent, supervisor, principal or other such official of a school district or a school division formed and constituted under *The School Act*, and includes a person employed by the board of trustees of a school district or division constituted under *The School Act* and engaged in a non-teaching capacity, if the holding of a valid certificate of qualification issued under the regulations of the Minister of Edu-



cation is required by the board of trustees as a condition of the employment and the requirement is approved by the Board of Administrators.

- (iii) by the Alberta Teachers' Association or by the Board of Administrators.

### **Application of Act**

#### **3. This Act applies**

- (a) to all teachers actually employed in teaching in those school districts or school divisions receiving grants from the Province of Alberta, and
- (b) to any teacher acting as a full-time employee of the Alberta Teachers' Association or of the Board of Administrators.

### **Board of Administrators**

4. (1) There shall be a Board of Administrators, consisting of four members, who shall manage, control and administer the Fund.

(2) The Board of Administrators is a corporation with all the powers and immunities provided by law for such bodies.

(3) Three members of the Board of Administrators constitute a quorum.

5. Two of the members of the Board of Administrators shall be appointed by the Lieutenant Governor in Council in such manner and for such term or terms and at such times as he may determine.

6. The two other members of the Board of Administrators shall be teachers and shall be appointed by the Lieutenant Governor in Council, one of whom shall serve until the thirtieth day of June, 1961, while the other shall serve until the thirtieth day of June, 1963, and their successors from time to time appointed shall serve for a term of four years each from the dates at which their respective appointments take effect.

7. The two members appointed to the Board of Administrators under section 6 shall be nominated by the executive council of the Alberta Teachers' Association at least one month before the date on which they are to enter upon their duties as members of the Board of Administrators.

8. If any member of the Board of Administrators vacates his office or if an office on the Board of Administrators becomes vacant for any reason, the Lieutenant Governor in Council shall appoint a successor to serve for the unexpired term.

**The Fund**

**9.** (1) The Board of Administrators is hereby authorized and empowered to establish a Teachers' Retirement Fund which shall be derived from

- (a) gifts and legacies,
- (b) amounts contributed by or on behalf of teachers as hereinafter provided,
- (c) interest or other income derived from the Fund,
- (d) contributions from boards of trustees as hereinafter provided, and
- (e) contributions from the Alberta Teachers' Association or from the Board of Administrators.

(2) A separate record of the payments into the Fund made in respect of each teacher shall be kept by the Board of Administrators.

**10.** Every teacher shall, until he has made contributions to the Fund for a total period not exceeding thirty-five years, contribute to the Fund an amount equal to such per cent, not being less than four per cent nor more than seven per cent, of his salary as a teacher, as the Board of Administrators by by-law may determine.

**11.** (1) The board of trustees of each school district and school division in the Province of Alberta and of the Lloydminster Public School District and the Lloydminster Roman Catholic Separate School District shall retain from the salary of each teacher the percentage that he is required to contribute to the Fund in accordance with section 10.

(2) The percentage shall be deducted from each payment on account of salary made to the teacher, and all moneys so retained shall be deemed

- (a) to have been paid on account of the teacher's salary, and
- (b) to be a contribution to the Fund by the teacher from whom the percentage of salary has been retained.

(3) A substitute or temporary teacher as defined in *The School Act* shall not be required to contribute to the Fund except when employed for a total of ten days or more in any month.

**12.** (1) The Department of Education shall

- (a) retain semi-annually at the end of each school term
  - (i) from the grant payable to each school district and school division under *The School Grants Act* in aid of schools organized and conducted under the provisions of *The School Act*, and

- (ii) from the grants payable to the Lloydminster Public School District, and the Lloydminster Roman Catholic Separate School District,

an amount equal to the amount required to be retained by the board of trustees from the salaries of all teachers of each school district and school division during each term, and

- (b) receive and pay over to the Board of Administrators for the purposes of the Fund the moneys so retained or received.

(2) All money retained and paid over by the Department of Education shall be deemed to have been paid over to and received by the board of trustees on account of the legislative grant to the school district or school division for that term.

**13.** (1) Notwithstanding section 12, the Minister of Education may in writing authorize any board of trustees to pay the moneys retained pursuant to section 11 directly to the Board of Administrators, in which case

- (a) the board of trustees shall pay the said moneys to the Board of Administrators at such time as the Board of Administrators may appoint in writing, and shall at the same time furnish the Board of Administrators with a complete and accurate record, certified as such by the secretary or other proper officer of the school district or division, and showing the name of each teacher employed by the board of trustees, the amount of the salary of each teacher and such other information concerning any such salary as the Board of Administrators requires, and

- (b) section 12 applies only with respect to any amounts that have been retained by a board of trustees and have not been paid over to the Board of Administrators.

(2) The Board of Administrators shall on request transmit to the Department of Education all the records received by it pursuant to clause (a) of subsection (1).

**14.** (1) The Alberta Teachers' Association and the Board of Administrators shall retain from the salary of each teacher employed by the Association or by the Board of Administrators the percentage that the teacher is required to contribute to the Fund in accordance with section 10.

(2) The percentage shall be deducted from each payment on account of salary made to the teacher and all money so deducted and retained shall be deemed

- (a) to have been paid on account of the teacher's salary, and

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(b) to be a contribution to the Fund by the teacher from whom the percentage of salary has been retained.

(3) The Association shall pay to the Board of Administrators the moneys that it has retained under this section.

**14a.** (1) In this section "university teacher" means a teacher employed by the Governors of the University of Alberta as a full-time member of the academic staff of the University.

(2) Where a teacher who is contributing to the Fund becomes a university teacher, the teacher may elect to continue contributions to the Fund and upon any such election the Governors of the University of Alberta shall retain from the salary of the teacher the amount required to be retained by a board of trustees under section 11, and shall pay over the moneys retained to the Board of Administrators at such times and in such manner as the Board of Administrators may direct.

(3) At the same time and in the same manner, the Governors of the University of Alberta shall pay to the Board of Administrators an amount equal to the contributions of the university teacher, for deposit in the revenue account established under section 17.

**15.** (1) A teacher who leaves his employment as a teacher for a reason that, in the sole discretion of the Board of Administrators, entitles him to continue his contributions, may apply to the Board of Administrators for permission to continue his contributions during his absence from his employment.

(2) The Board of Administrators may, for such length of time and on such terms and conditions as it may by by-law prescribe, accept by or on behalf of the absent teacher contributions not exceeding in any year such per cent of his annual salary earned immediately prior to his leaving his employment as was determined by by-law of the Board of Administrators pursuant to section 10.

**15a.** Subject to the powers of the Board of Administrators under section 20 the normal pension payable to any teacher upon his retirement shall be computed in accordance with the following rules:

(1) The pension shall be an annual amount equal to two per cent of the average annual salary paid to the teacher for the five consecutive years of his pensionable service during which his salary was the highest, multiplied by the total number of years of his pensionable service, computed to the nearest complete month thereof or by thirty-five, whichever number is less.

(2) The pension shall be payable to the teacher for his life, or if he dies within a period of five years after his retirement, it shall

then be paid to a beneficiary named by him, or to his estate, if no beneficiary is named, or if a named beneficiary predeceases the teacher, to the estate of the teacher, or if so specified by the teacher to the estate of the deceased named beneficiary, for the remainder of the five year period.

(3) The pension shall be payable upon attainment of age sixty-five.

(4) In the case of female teachers, the pension shall be the actuarial equivalent of the normal pension for male teachers.

**16.** (1) All pension payments that are paid by the Board of Administrators from the Fund and in accordance with this Act and the regulations and the by-laws of the Board of Administrators and that are paid for any month on or after the first day of April, 1956, shall be repaid to the Board of Administrators by the Provincial Treasurer to the following extent:

(a) pension payments to persons who first became entitled to pensions before the first day of April, 1948, shall be repaid in full;

(b) pension payments to persons who first became or become entitled to pensions on or after the first day of April, 1948, shall, to the extent that they represent pensionable service before the first day of April, 1939, be repaid in full, and to the extent that they represent pensionable service on or after the first day of April, 1939, be repaid in half the amount.

(2) Subject to section 17, the Provincial Treasurer shall, out of moneys appropriated by the Legislature for the purpose, pay over to the Board of Administrators at the end of each month the amounts required to be paid under subsection (1) in respect of pension payments paid during that month.

**17.** (1) The money that the Lieutenant Governor in Council has paid since the first day of April, 1948, to boards of school districts and divisions and that has been remitted by or on behalf of such boards to the Board of Administrators for deposit in the Fund, together with the interest that such money has earned, shall, in so far as such money and interest exceeds the amount that the Provincial Treasurer would have paid under clause (b) of subsection (1) of section 16 had that clause been in force on and after the first day of April, 1948, instead of the provisions by which the said money was paid by the Lieutenant Governor in Council, be placed in a reserve account.

(2) The Board of Administrators shall take from such reserve account the moneys payable under section 16 by the Provincial

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Treasurer, so that no money shall be paid by the Provincial Treasurer under that section until the reserve account, together with the interest that such money has earned, is exhausted.

**18.** The payment of all benefits payable under this Act, the regulations and the by-laws of the Board of Administrators is guaranteed by the Government of the Province.

**19.** (1) The Lieutenant Governor in Council may pay to the board of a school district or school division an amount not exceeding three and one-half per cent of the total amount of the salaries of its teachers on whose behalf the board makes contributions to the Fund.

(2) Any amount paid by the Lieutenant Governor in Council to the board of a school district or school division under this section shall be remitted by the board of the school district or school division to the Board of Administrators for deposit in the Fund.

### **Powers of Board of Administrators**

**20.** (1) Subject to subsection (2) the Board of Administrators may

- (a) manage, control, invest and administer the Fund and its distribution and act as and be the trustees thereof,
- (b) receive moneys for the Fund whether by way of contribution, gift, grant, legacy or otherwise,
- (c) appoint and employ such officers and employees as are deemed necessary for the exercise of its powers, and discharge any such officer or employee,
- (d) determine the persons who are entitled to participate in the Fund and the service that is to constitute pensionable service, establish alternative schemes for the payment out of the Fund of pensions actuarially equivalent to the normal pension, and provide a scheme of disability pensions, and fix the conditions governing each scheme and the manner and times of payment,
- (e) refund and pay to any teacher who has contributed to the Fund, or to the estate, widow, or widower of any such teacher, or to the next-of-kin who are members of the teacher's immediate family, such sum or sums as it may determine, or decline to refund any moneys contributed by any teacher, and, generally, regulate the payment out of all moneys belonging to the Fund,
- (f) enter from time to time into any engagement or agreement to bring about or to facilitate



- (i) the transferring of any benefit to which any teacher is or might be entitled to in the Fund to any other similar fund, and
- (ii) the transferring to the Fund of the benefits to which any person might be similarly entitled in any other similar fund,
- (g) do all such acts and make all such provisions and regulations as appear right and necessary and concern proper administration of all the affairs and business of the Fund, and
- (h) from time to time and for such purposes or any of them, pass by-laws and amend, repeal, add to or re-enact all or any of such by-laws, which as long as they are in force have the same effect as if they were part of this Act.
- (2) Moneys to be invested by the Board of Administrators shall be invested in securities of a kind and in the proportion allowed under the *Canadian and British Insurance Companies Act*.
- (3) No regulation or by-law made, enacted or passed by the Board of Administrators has any effect until it has been approved by the Lieutenant Governor in Council, and published once in *The Alberta Gazette*.
- (4) On or before the thirty-first day of December of each year the Board of Administrators shall furnish to the Department of Education an audited statement showing the standing of the Fund as at the preceding thirty-first day of August and containing such other information as the Lieutenant Governor in Council may from time to time require.
- (5) Without limiting the powers of the Board of Administrators as otherwise provided in this Act, the Board of Administrators may include in its by-laws provisions to the effect that a differentiation may be made in the amounts of the pensions that are granted to teachers after the thirty-first day of March, 1939, according to whether their service is of a contributory or non-contributory nature.

**21.** With the approval of the Lieutenant Governor in Council the Board of Administrators may enter into a contract with the Administrator constituted pursuant to *The Retirement Pension Act* whereby the Administrator

- (a) may, on behalf of the Board of Administrators, perform any of the functions that he is authorized to perform pursuant to the provisions of that Act, and
- (b) in addition to any powers that the Administrator has under *The Retirement Pension Act*, may on behalf of the Board

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of Administrators exercise such powers of the Board of Administrators as are transferred to the Administrator by the contract.

**22.** If a person who is required by this Act, or by the regulations or by-laws made under this Act,

(a) to furnish any information or make any return or statement in writing to the Department of Education or the Board of Administrators, or

(b) to perform any act or duty,

refuses or neglects to furnish such information or make such return or statement or perform such act or duty, he is guilty of an offence and liable on summary conviction to a fine of not more than fifty dollars, which shall be remitted to the Board of Administrators and credited to the Fund.

**24.** The members of the Board of Administrators shall serve without remuneration, but they shall be paid all necessary and actual expenses, including travelling expenses, incurred in and about the performance of their duties as such members.

**25.** All costs and expenses incurred in carrying out the objects of this Act shall be borne by and paid out of the Fund.

**26.** (1) Neither the right of any teacher to receive a payment out of the Fund nor any moneys payable to a teacher under this Act or as advances by way of gratuity, whether made in periodic payments or otherwise, is capable of being assigned, charged, or anticipated or given as security, nor is such right or money liable to be seized, attached or levied upon by or under the process of any court.

(2) The right of any teacher to receive a payment out of the Fund and any moneys payable to a teacher under this Act or as an advance by way of gratuity are exempt from the operation of any law relating to bankruptcy or insolvency.

(3) The Board of Administrators may, in its discretion, refuse to recognize any power of attorney granted by a teacher with reference to any payment out of the Fund or any moneys payable to the teacher under this Act or as an advance by way of gratuity.

# The Pension By-Law

1. This by-law may be cited as "*The Pension By-law*".

## Interpretation

2. In this By-law:

- (a) "Act" means *The Teachers' Retirement Fund Act* as amended;
- (b) "Board" means The Board of Administrators constituted under *The Teachers' Retirement Fund Act*;
- (c) "Contract" means a contract of employment pursuant to Section 332 or to Section 344 of *The School Act*.
- (d) "Fund" means The Teachers' Retirement Fund established under the provisions of the Act;
- (e) "Salary" means,—
  - (i) All compensation including any bonus or other allowance paid to a teacher by the Board of Trustees of a School Division or School District for the discharge of his regular and ordinary duties as teacher and for such other duties regularly performed by him as in the opinion of the Board of Administrators form a proper part of school activities whether or not such other duties are extra-curricular;
  - (ii) In cases where the teacher is not employed by the Board of Trustees of a School Division or School District, means also the compensation paid to him for his services as a teacher as hereafter defined;
- (f) "Service" means service in Alberta or in The Lloydminster Public School District or The Lloydminster Roman Catholic Separate School District while engaged as a teacher.
- (g) "Teacher" means any person who holds a valid certificate of qualification issued under the regulations of The Minister of Education and who is employed,—
  - (i) by the Board of Trustees of a School District or Division constituted under *The School Act*, in the capacity of,—
    - (a) a teacher, or
    - (b) a librarian devoting his full-time to the work of a school,
  - or by The Lloydminster Public School District or The Lloydminster Roman Catholic Separate School District in the capacity of a teacher;

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- (ii) As a superintendent, supervisor, principal or other such official of a School District or a School Division formed and constituted under *The School Act*, and includes a person employed by the Board of Trustees of a School District or Division constituted under *The School Act* and engaged in a non-teaching capacity, if the holding of a valid certificate of qualification issued under the regulations of the Minister of Education is required by the Board of Trustees as a condition of the employment and the requirement is approved by the Board of Administrators;
- (iii) By The Alberta Teachers' Association or by the Board;  
and means also a University teacher who has elected to continue contributions to the fund.
- (h) "University Teacher" means a teacher employed by the Governors of the University of Alberta as a full-time member of the Academic staff of the University.
- (i) "Year" in relation to service means a school year for which the teacher is entitled to be paid his full annual salary;
- (j) Words importing the masculine gender include the feminine.

## Pensionable Service

- 3.** (a) In computing service, a teacher shall be entitled to have taken into account a part or parts of a year and to have such part or parts added to a part or parts of any other year until the aggregate amounts to a full year; and each such part shall be calculated,—
- (i) When the teacher is paid salary at an annual rate, by proportioning the amount of salary earned in the year to the amount of the full annual salary, or
  - (ii) When the teacher is paid at a per diem rate and his service is before September 1, 1939, by proportioning the number of days taught in the year to 200, and
  - (iii) When the teacher is paid at a per diem rate and the service is after September 1, 1939, by proportioning the number of days in the year for which he has contributed to the Fund to 200.
- (b) When a teacher is employed by a School Board or School Division both as teacher and in another capacity the Board shall in its sole discretion determine the amount of his time

allocated to teaching service and the proportion of his salary attributable thereto, and may review such determination from time to time upon change of circumstances; and computation of his service and the amount of his contributions to the Fund shall be based on such determination.

**4.** Pensionable service shall be limited to 35 years and (except as hereafter provided) shall be computed only during those years after a teacher has attained the age of 30 and before he has attained the age of 68, and subject thereto and to the provisions of this By-law affecting pensionable service means:

- (a) Those years in which he has contributed to the Fund in accordance with the Act or the By-laws of the Board, including those years for which his contributions were forfeited under any previous By-law of the Board; and
- (b) Those years in respect of which the Board has received a transfer of his contributions under a reciprocal agreement, or has received payment from the Governors of the University of Alberta upon him becoming a University teacher and electing to continue contributions to the Fund; and
- (c) his years of service after he has contributed to the Fund for 35 years; and
- (d) his years of service prior to and computed back from March 31, 1939, if he has since contributed to the Fund for not less than 5 years of service; and
- (e) if he was engaged as a teacher immediately prior to his enlistment in the Canadian or Allied Forces in the First World War means also the period of his enlistment in those forces during that war and the period thereafter necessarily required to obtain his discharge.

**5.** For the purpose only of computing a disability pension under Section 16 or a pension to a surviving dependent spouse under section 21, a teacher shall be entitled to have taken into account as pensionable service one-half of his years of service before he attained the age of 30.

**6. (a)** A teacher who was engaged as such in Alberta immediately prior to his enlistment may pay into the Fund in manner hereafter provided for the years or any part thereof during which he was absent from service while serving in the Canadian and Allied Forces during the Second World War and for so long thereafter as was necessarily required to obtain his discharge, an amount equal to 3 percent of the salary which would have been earned by him during the

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period for which payment is made based on his rate of salary immediately prior to enlistment, together with interest thereon at the rate of  $3\frac{1}{2}$  percent per annum computed from the time or times on which such contributions would have been made had he not been absent from teaching service in Alberta to the date of payment into the Fund and upon payment thereof in manner hereafter provided:

- (i) the period after attaining the age of 30 for which he has so contributed shall be deemed to be pensionable service, and
  - (ii) for the purpose only of computing a disability pension under section 16 and a pension to a dependent spouse under section 21, one-half of the period before attaining the age of 30 years for which he has so contributed shall be deemed to be pensionable service.
- (b) Such payment shall be only on written application made to the Board before any application by the teacher for a pension and shall be made in a lump sum or in such manner as the Board may direct provided that payment is made in full before any grant of pension.
- (c) Provided that in any event:
- (i) One-half of the years or parts thereof comprised in the period of such absence after the teacher has attained the age of 30 years and for which he has not paid into the Fund as hereinbefore provided, shall nevertheless be deemed to be pensionable service.
  - (ii) For the purpose only of computing a disability pension under Section 16 and a pension to a dependent spouse under Section 21, one-quarter of the years or parts thereof comprised in the period of such absence before the teacher has attained the age of 30 years and for which he has not paid into the Fund as hereinbefore provided shall nevertheless be deemed to be pensionable service.

**7.** When a grant of disability pension to a teacher has terminated, his pensionable service prior to his disability shall not thereafter be taken into account unless he returns to service under contract for periods aggregating not less than 5 years before his retirement.

**8.** A teacher who,—

- (i) has retired before attaining the age of 65 years and has been granted a normal pension, and



- (ii) thereafter returns to service under contract for periods aggregating not less than 2 years for none of which he received pension,

may apply to the Board to have such additional service taken into account as pensionable service; and upon proof of such service the Board shall take the same into account but not so as to exceed 35 years in the aggregate of pensionable service and shall recalculate his pension accordingly: Provided that no such application shall be made more than once by any teacher.

### **Normal Pension**

**9.** Subject to the provisions of this By-law the normal pension payable to a teacher upon his retirement shall be computed in accordance with the following rules:

- (a) The pension shall be an annual amount equal to 2 percent of the average annual salary paid to the teacher for the 5 consecutive years of his pensionable service during which his salary was the highest, multiplied by the total number of years of his pensionable service, computed to the nearest complete month thereof or by 35, whichever number is less.
- (b) In the case of female teachers, the normal pension shall be the actuarial equivalent of the normal pension for male teachers.

**10.** (a) Any teacher who retires from teaching service upon or after attaining the age of 60 years and who has completed not less than 15 years of pensionable service, shall be paid a pension out of the Fund upon his written application to the Board.

- (b) When the applicant is less than 65 years of age his pension shall be the actuarial equivalent at his age of the normal pension which would have been payable to him were his age then 65 as determined by the actuarial tables approved for this purpose by the Board; and when the applicant is more than 65 years of age his pension shall nevertheless be determined upon the footing of age 65 as aforesaid but his salary and pensionable service after that age shall be taken into account in computing the normal pension.
- (c) Any teacher who has completed not less than 20 years of pensionable service and who retires from service upon or after attaining the age of 55 years shall upon his written application to the Board be paid a pension out of the Fund in an amount equal to the actuarial equivalent at his age of

## Pension By-Law

the normal pension which would have been payable to him were he then 65 years of age as determined by the actuarial tables approved for this purpose by the Board.

**11.** The normal pension shall be payable to the teacher for his life, or if he dies within a period of 5 years after his retirement, it shall then be paid to a beneficiary named by him or to his estate if no beneficiary is named, or if a named beneficiary predeceased the teacher, to the estate of the teacher or if so specified by the teacher to the estate of the deceased named beneficiary for the remainder of the 5 year period: provided nevertheless that the teacher may, subject to the approval of the Board, elect to take payment of the pension in any of the following alternatives which shall in each case be an actuarial value equivalent to his normal pension:

- (i) A pension payable for the life of the teacher and ceasing at his death, or
- (ii) A pension payable for the life of the teacher or a term of years certain whichever is the longer, or
- (iii) A pension payable during the joint lives of the teacher and a nominee designated by him which after the death of either shall continue to be paid in the same amount or in an amount of two-thirds or one-half thereof to the survivor for his life, or
- (iv) in cases where the amount of pension will so permit and whether or not the teacher has attained the age of 65 years, a pension payable for the life of the teacher or during the joint lives of himself and a nominee, the payments of which will be decreased on and after 70 years of age by the amount of the old age security allowance to which he will prospectively be entitled on attaining 70 years of age; the payments of pension between the ages of 60 and 70 years being increased accordingly.

**12.** Upon receipt of his application, the Board shall as soon as practicable notify the teacher in writing:

- (i) of the alternative methods of payment of the pension and the approximate amount of pension payable to him under each alternative, and
- (ii) of his right to designate a beneficiary in an appropriate case, and
- (iii) that his election must be submitted to the Board in writing within 30 days thereafter.

In default of his written election within the prescribed time, or if the Board does not approve of the election, the pension shall be payable in such of the alternative methods as the Board may direct.

- 13.** (a) Unless otherwise directed by the Board a pension shall commence on the first day of the month next following the receipt by the Board of the application, unless pensionable service is then currently accruing to the applicant, in which case it shall commence on the first day of the month next following cessation of such service; and shall accrue and be paid monthly in equal instalments on the last day of each month.
- (b) Upon the death of a pensioner whose pension ceases at his death, the instalment of pension for the month of his death shall be paid to his personal representative or to such of his next-of-kin or dependents as the Board may designate.
- 14.** A pensioner may engage in service for 80 teaching days in a school year without loss of pension: provided that
- (i) when the engagement is under contract he may by notice in writing to the Board waive his pension during that period or any part thereof for the purpose of acquiring additional pensionable service under section 8.
  - (ii) if he shall serve in excess of 80 days in a school year his monthly pension payments during that period shall be reduced by the amount of salary earned by him in that month.

**15.** If a teacher returns to service or first begins to contribute to the Fund at an age when it would not be possible for him thereafter to complete 15 full years of pensionable service before attaining the age of 65 years, he shall not in any event be eligible for a normal pension.

#### **Disability Pension**

- 16.** (a) A teacher who is not eligible for a normal pension and who,
- (i) has completed not less than 10 years of service of which not less than 5 are contributory, and
  - (ii) retires from such service by reason of mental or physical disability totally incapacitating him from gainful employment

## Pension By-Law

may in the discretion of the Board be granted a pension out of the Fund in such an amount not exceeding a normal pension and payable for such period not exceeding the period during which the teacher is totally incapacitated as aforesaid, as the Board may in its sole discretion determine; but no such pension shall be granted except on application of the teacher made within 2 calendar years of the teacher's last contribution to the Fund. In the event the applicant was a patient under *The Mental Diseases Act* following his retirement from teaching service the time in which he was a patient shall be excluded in computing the time within which his application is to be made.

- (b) If the disability is permanent such teacher may, subject to the approval of the Board, elect to take payment of the pension in any of the alternatives permitted by Section 11.
- (c) The exercise of such election shall not subsequently or in any way limit or affect the power of the Board to vary the amount of or terminate the disability pension at any time or from time to time, nor vest in the teacher any claim to pension beyond the amount actually received.
- (d) The provisions of Sections 12 and 13 of this By-law shall be applicable mutatis mutandis to the payment of disability pensions.
- (e) The Board may at any time and from time to time require such teacher to attend and submit to an examination by a duly qualified physician or surgeon nominated by it; and the reasonable and proper expenses of the teacher in attending thereon shall be paid out of the Funds unless otherwise directed by the Board.

## Refunds

**17.** The Board shall refund annually all contributions,—

- (a) by a teacher in excess of 35 years of contributions;
- (b) by a pensioner who has returned to service when it is or it becomes apparent that such contributions cannot upon recalculation increase his pensionable service;
- (c) by a pensioner who has returned to service and notifies the Board in writing that he does not wish to have his additional service taken into account as pensionable service under Section 8 of this By-law.

**18.** (a) When a teacher who has not then been granted a pension,—

- (i) dies while not under contract, or
- (ii) retires from service, or
- (iii) is ineligible for pension under Section 15 of this By-law but at the time of his application is or could be eligible to make application to participate in the supplementary fund under *The Teachers' Retirement Supplementary Fund Act*, or
- (iv) is ineligible for pension under Section 15 of this By-law and at the time of his application is not eligible to make application to participate in the supplementary fund as aforesaid,

he or his personal representative, as the case may be, may make written application to the Board during his lifetime, or within five years from the date of his death, for a refund of his contributions; but in cases to which paragraphs (iii) or (iv) of this subsection apply, the application shall not be made oftener than once annually.

(b) Upon such application the Board shall:

- (i) when the application follows death or retirement from service, repay to him or to his personal representative, as the case may require, the amount of his contributions then standing to his credit in the Fund together with such interest thereon as the Board has allowed, after deducting therefrom a sum equal to \$10.00 for each year in which he has made contributions: provided that if in any such year he has acquired less than one-half of a year of pensionable service the deduction in respect of that year shall be \$5.00.
- (ii) when the applicant is ineligible for pension under Section 15 but at the time of his application is or could be eligible to make application to participate in the supplementary fund as aforesaid, repay to him the amount of his contributions made since April 11, 1960, which are then standing to his credit in the Fund together with such interest thereon as the Board has allowed.
- (iii) when the applicant is ineligible for pension under Section 15 and at the time of his application is also ineligible to make application to participate in the supplementary fund as aforesaid, repay to him the amount of his contributions then standing to his credit in the fund together with such interest thereon as the Board has allowed, without deduction.

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- (c) For the purposes of this section, personal representative includes a surviving spouse or next-of-kin who are members of the immediate family of the deceased or any one or more of them as the Board may in its sole discretion determine.
- (d) When an application for refund is made upon retirement from service occurring after May 31 and before September 1 in any year, the repayment shall not become due before the end of that year; and in the case of every other application, repayment shall not become due until 4 months after the date of application.
- (e) Upon repayment under this subsection to a teacher his pensionable service prior to the repayment shall not thereafter (subject to his right of reinstatement) be taken into account for any purpose.

**19.** When a teacher who has been granted a disability pension returns to contributory service any amount payable to him hereunder as refund of contributions shall be further reduced by the aggregate amount of the disability pension payments made to him.

## Death Benefits

**20.** (a) If a teacher dies while under contract (and whether or not he is then under leave of absence granted pursuant to Section 366 of the said Act) and

- (i) he was not ineligible for pension under section 15, and
- (ii) written application is made therefor to the Board within 5 years of the date of his death,

the Board shall pay to his estate or to a surviving spouse or to his next-of-kin who are members of his immediate family or any one or more of them as the Board may in its sole discretion determine, a sum not less than \$200.00 nor more than \$1500.00 computed in other respects at the rate of \$100.00 for each year of his contributory service; and shall also pay to such person or estate the amount to which the teacher would have been entitled as refund of contribution if immediately preceding his death he had made written application to the Board for refund thereof.

- (b) In determining to whom such payment shall be made the Board may take into account a designation of the beneficiary thereof made by the teacher by Will (whether probated or not), or by a writing signed by the teacher and one witness, and may also take into account the relevant circumstances of each person to whom payment could be made.



- (c) The amount payable under this section may be paid in a lump sum or in such instalments as the Board may direct.

**21.** Notwithstanding anything to the contrary herein, if the teacher's age at the date of his death exceeds 50 years and being male leaves a widow surviving him, or being female leaves a dependent widower surviving her, the sums hereinbefore provided shall not be paid, but upon written application to the Board at any time there shall be paid to such survivor in lieu thereof a pension calculated as if the teacher had immediately before his or her death been granted a pension payable during the joint lives of the teacher and such survivor which after the teacher's death shall continue to be paid in the same amount to the survivor for his or her life in accordance with Section 11 (iii): but payment thereof shall not commence to accrue until such application is made and the first payment thereof shall be made on the first day of the month following the application.

#### **Reinstatement**

**22.** (a) A teacher who has,—

- (i) at any time received a refund of his contributions to the Fund, and
- (ii) subsequently returns to service under a contract and teaches under such a contract for not less than one year,

may at any time before he applies for a pension make written application to the Board in the manner hereafter provided for reinstatement of his pensionable service prior to the date of refund.

- (b) Upon such application the Board shall as soon as practicable notify the teacher in writing of the amount required to be paid by him for such reinstatement, which shall be the amount received by him in refund together with interest thereon at such rate as the Board determines to have been the average annual rate earned by the Fund during the period, compounded annually, and computed from the date he received such amount until the date it is fully paid back; and therein shall notify the applicant of the manner of payment which may be in a lump sum or in such manner as the Board may direct provided that payment is made in full before any grant of pension.
- (c) Upon payment in full in the manner and within the time provided the teacher shall be reinstated in his pensionable service aforesaid.

## **Pension By-Law**

### **Duties of Teachers and School Boards**

**23.** Every teacher shall upon becoming a contributor to the Fund deliver to the Secretary of the Board an official certificate of the date of his birth, or in case such certificate is not procurable shall deliver a statutory declaration or such other proof of age as may be required by the Board.

**24.** In any case where the Board is satisfied after making due inquiry that a teacher who has not delivered an official birth certificate has made any wilful misstatement in regard to his age, the Board may in its discretion reduce the pension payable to such teacher or may direct the repayment to him of such portion of the amount to his credit in the Fund as it may specify, and upon such payment being made to the teacher his right to any benefit under this By-law shall cease or be adjusted accordingly.

**25.** The Board may from time to time require any teacher to furnish such information as the Board may deem necessary for the proper administration of the Fund and of this By-law respecting his professional qualifications, teaching services, salary and other matters.

**26.** Every pensioner shall keep the Board informed at all times of his proper address and shall report to the Board in person or by suitable credentials twice each year and at such other times as the Board may reasonably require.

**27.** The Board may from time to time require any board of trustees of any school district or school division to furnish in the form prescribed by the Board such information as it may deem necessary for the purposes of the administration of the Fund and of this By-law, including the date of commencement or termination of engagement of any teacher employed by them, the salary from time to time paid him, the moneys retained from such teacher's salary as contributions to the Fund, the death of any teacher under engagement, and other matters.

### **General**

**28.** Interest at the rate of 3 per centum per annum or at such other rate as the Board may by resolution fix from time to time, shall be credited by the Board to each teacher's account on the last day of June and December in each year, computed on the amount to the credit of each account on the next preceding first day of January and July respectively, and in respect of every account such interest shall continue to be so credited until the last interest date preceding the teacher's retirement from teaching service and shall not be deemed to accrue from day to day between interest dates.

**29.** Whenever in any case a dispute or doubt arises thereon, the Board shall have power in its sole discretion to determine whether any person is a teacher within the meaning of the Act or this By-law, the amount of his salary during any period of time, the extent of his pensionable service, the amount of any pension or other benefits payable under this By-law, whether a teacher has retired from teaching service and the date of such retirement; and every such determination shall be final.

**30.** The Board may at the end of five years from the date of his last contribution to the Fund close out the separate record of payments into the Fund made in respect of any teacher but the teacher shall not thereby be prejudiced or any way affected in his rights hereunder.

**31.** The Board shall cause an actuarial survey to be made of the Fund once in every 5 years computed from the 1st day of April, A.D. 1948.

**32.** Nothing in this By-law shall confer upon any person any right to demand or enforce the payment of any pension, or any benefit arising upon the death of a teacher, or the repayment of any amount contributed to the Fund or the payment of any interest thereon.

**33.** (a) The By-laws of the Board as they stood on the 30th day of June, 1960, as the same may be amended from time to time, shall continue to be applicable in all cases of retirement or death prior to that date.

(b) Subject to subsection (a) of this section, this By-law shall be deemed to have been in force on and after the 1st day of July, 1960, and shall be applicable in all cases of retirement from service and of death, and return to service after retirement, occurring on and after that date.

# The Teachers' Retirement Supplementary Fund Act

(CHAPTER 105 R.S.A., 1960)

This Act was passed by the 1960 session of the Legislature and provides pensions in the form of annuities for certain teachers who are unable to qualify for a pension under *The Teachers' Retirement Fund Act*. The published statutes of the Province of Alberta are the only official and completely dependable statements.

Certain sections of the Act are quoted:

**1.** This Act may be cited as "*The Teachers' Retirement Supplementary Fund Act*".

**2.** (a) "Board" means the Board of Administrators of the Teachers' Retirement Fund under *The Teachers' Retirement Fund Act*.

**3.** This Act applies only in respect of teachers not being pensioners under *The Teachers' Retirement Fund Act*, who first began their employment as teachers at an age when it is not possible for them to complete fifteen full years of service before attaining the age of sixty-five years, and who make application to participate in the supplementary fund, and are

(a) actually employed as teachers in school districts or school divisions receiving grants from the Province, or

(b) acting as full-time employees of The Alberta Teachers' Association or of the Board.

**4.** (1) The Board may establish a Teachers' Retirement Supplementary Fund, which shall be derived from

(a) amounts contributed by or on behalf of teachers as hereinafter provided,

(b) interest or other income derived from the supplementary fund,

(c) amounts transferred from The Teachers' Retirement Fund under *The Teachers' Retirement Fund Act* in respect of persons to whom this Act applies, and

(d) gifts and legacies.

(2) A separate record of the payments into the supplementary fund made in respect of each teacher shall be kept by the Board.

**5.** (1) All contributions heretofore made to the Teachers' Retirement Fund by teachers to whom this Act applies, together with the interest the contributions have earned while in that fund, shall be transferred to the supplementary fund.

(2) The Board shall keep a separate account of the contributions and interest so transferred in respect of each teacher.

**6.** A teacher shall contribute to the supplementary fund an amount equal to five per cent of his salary as a teacher or such other percentage as the Board by by-law may determine not being less than four per cent nor more than seven per cent.

**15.** (1) The Board shall, not less than ninety days before a teacher attains the age of sixty-five years, notify him in writing as to the benefits that he may receive upon retirement.

(2) If after being so notified a teacher fails before his retirement to exercise his choice of the form of annuity or payment to be received by him, he shall upon retirement receive a lump sum payment as provided by subsection (3) of section 16.

**16.** (1) Upon the retirement of a teacher to whom this Act applies who has been a teacher for a period or periods not being less than five years, the teacher is entitled to an annuity, which shall be purchased, at such rate as may be fixed by the Board, by the amount standing to the credit of the teacher's account at the date of his retirement, plus an equal amount to be contributed by the Government of Alberta under subsection (2).

(2) Upon the retirement of a teacher entitled to an annuity under subsection (1) the Board shall notify the Provincial Treasurer, in writing, of the teacher's name and of the amount standing to the credit of his account at the date of his retirement, and the Provincial Treasurer shall pay an equivalent amount to the Board.

(3) Where so requested by a retiring teacher or in the case provided for by section 15, the teacher may receive in lieu of an annuity a lump sum payment of the amount available for the purchase of an annuity under subsection (1).

(4) When a teacher upon retirement elects to receive an annuity, the annuity may, at his option, be

(a) a life annuity,

(b) an annuity payable for his life or for a term of years certain, whichever is the longer,

(c) an annuity that is payable during the joint lives of the teacher and a nominee designated by him and that after the death of either is payable to the survivor for his life in

## Supplementary Fund Act

the same amount or in the amount of one-half or such other greater fraction thereof as the teacher at the time of his retirement may specify, or

- (d) such other form of annuity or payment as is consistent in principle with the other provisions of this section.

**17.** The payment of all benefits payable under this Act, the regulations and by-laws of the Board, is guaranteed by the Government of Alberta.

**18.** When a teacher resigns or is dismissed and is not entitled under Section 16 to receive an annuity or lump sum payment under that section, the teacher shall be paid only the amount of the contribution paid by him to the supplementary fund together with the accrued interest thereon.

**19.** For the purpose of this Act, the latest retirement age of a teacher shall be age sixty-five and any service beyond that age shall not be pensionable service for the purposes of this Act.

**24.** Except so far as may be inconsistent with the provisions of this Act, the Board has in respect of the supplementary fund all the powers and duties conferred or imposed upon the Board by *The Teachers' Retirement Fund Act* in respect of the Teachers' Retirement Fund under that Act.



# Bases of Education in Alberta

Provincial autonomy in education is based on *The British North America Act, 1867* and is established in this province under *The Alberta Act*. Excerpts pertaining to education are quoted from these two acts.

Education is further controlled by *The School Act*, *The Department of Education Act*, *The County Act*, and *Revised General Regulations of the Department of Education*. Relevant sections of these, as they apply to teachers, are quoted. The published statutes of the Province of Alberta are the only official and completely dependable references.

Every local should have a copy of *The School Act*.

All amendments up to those of 1960 are included.

## The Alberta Act

**17.** Section 93 of *The British North America Act, 1867*, shall apply to the said Province, with the substitution for paragraph 1 of the said section 93 of the following paragraph:

(1) Nothing in any such law shall prejudicially affect any right or privilege with respect to the separate schools which any class of persons have at the date of the passing of this Act, under the terms of chapters 29 and 30 of the *Ordinances of the North-West Territories*, passed in the year 1901, or with respect to religious instruction in any public or separate school as provided for in the said Ordinances.

(2) In the appropriation by the Legislature or distribution by the Government of the Province of any moneys for the support of schools organized and carried on in accordance with the said chapter 29, or any Act passed in amendment thereof or in substitution therefor, there shall be no discrimination against schools of any class described in the said chapter 29.

(3) Where the expression "by law" is employed in paragraph 3 of the said section 93, it shall be held to mean the law as set out in the said chapters 29 and 30; and where the expression "at the union" is employed, in the said paragraph 3, it shall be held to mean the date at which this act comes into force.

# The British North America Act, 1867

**93.** In and for each province the Legislature may exclusively make laws in relation to education subject and according to the following provisions:

(1) Nothing in any such law shall prejudicially affect any right or privilege with respect to denominational schools which any class of persons have by law in the province at the Union;

(2) All the powers, privileges and duties at the Union by law conferred and imposed in Upper Canada on the separate schools and school trustees of the Queen's Roman Catholic subjects shall be and the same are hereby extended to the dissentient schools of the Queen's Protestant and Roman Catholic subjects in Quebec;

(3) Where in any province a system of separate or dissentient schools exists by law at the Union or is thereafter established by the Legislature of the province an appeal shall lie to the Governor General in Council from any Act or decision of any provincial authority affecting any right or privilege of the Protestant or Roman Catholic minority of the Queen's subjects in relation to education;

(4) In case any such provincial law as from time to time seems to the Governor General in Council requisite for the due execution of the provisions of this section is not made or in case any decision of the Governor General in Council on any appeal under this section is not duly executed by the proper provincial authority in that behalf then and in every such case and as far only as the circumstances of each case require the Parliament of Canada may make remedial laws for the due execution of the provisions of this section and of any decision of the Governor General in Council under this section.

# The Department of Education Act

(CHAPTER 95, R.S.A., 1955)

1. This Act may be cited as "*The Department of Education Act*".

2. In this Act,

- (a) "board" means the board of trustees of a school district or division;
- (b) "Department" means the Department of Education;
- (c) "Minister" means the Minister of Education;
- (d) "school" means a school or any classroom thereof of a school district or school division established or constituted under *The School Act* or any other Act or ordinance respecting schools at any time in force in the Province.

3. There shall be a department of the Public Service of the Province which shall be called the Department of Education, and over which there shall preside the member of the Executive Council appointed by the Lieutenant Governor in Council under the Seal of the Province to discharge for the time being the functions of the Minister of Education.

4. Subject to *The Public Service Act*, the Lieutenant Governor in Council may appoint a Deputy Minister and such other officers, clerks and servants as are required for the proper conduct of the business of the Department and for the purposes of this Act, all of whom hold office during pleasure.

5. The Department shall have the control and management of all kindergarten schools, public and separate schools, technical schools, commercial schools and teachers' institutes, and the education of deaf, deaf mute and blind persons.

6. The Minister shall administer, control and manage the Department, and shall oversee and direct the officers, clerks and servants of the Department.

7. The Minister with the approval of the Lieutenant Governor in Council

(a) may make regulations

- (i) for the classification, organization, government, examination and inspection of all schools,
- (ii) for the construction, furnishing and care of school buildings and the arrangement of school premises,

## Education Act

- (iii) for the examination, licensing and grading of teachers and for the examination of persons who wish to possess certificates of having completed courses of study in any school, and
- (iv) for the management of teachers' reading courses, teachers' institutes, conventions, musical festivals and school fairs,
- (b) may authorize text and reference books for the use of the pupils and teachers in all schools as well as such maps, globes, charts and other apparatus or equipment as is required for giving proper instruction in such schools,
- (c) may prepare a list of books suitable for school libraries and make regulations for the management of such libraries,
- (d) may make due provision for the training of teachers,
- (e) may provide by contract or otherwise.
  - (i) for the printing and publishing, or for the supplying or furnishing, of all text and reference books for the use of the pupils and teachers in the schools and institutions in the Province under the control and management of the Department, and
  - (ii) for the supplying and furnishing of all such maps, globes, charts and other apparatus or equipment as is required for giving proper instruction in such schools or institutions,
- (f) may operate one or more technical institutes providing vocational instruction, and
- (g) may provide for instruction by correspondence in elementary, high school and vocational subjects.

8. (1) In this section "private school" means a school other than a school as defined in section 2 that offers or purports to offer instruction in courses established by the Department or courses substantially the same.

(2) The Lieutenant Governor in Council may make regulations governing the establishment, operation and supervision of private schools, including private schools offering instruction by way of correspondence courses.

(3) No person shall operate a private school until it has been approved by the Minister.

**12. The Minister**

- (a) may suspend or cancel for cause any certificate granted under the regulations of the Department.

**13. (1)** The Minister may have school books printed and published and may also purchase school books and books for school library purposes, and school supplies, and may sell the same to school districts or divisions or teachers or other persons.

# The School Act

## (CHAPTER 297, R.S.A., 1955)

### Interpretation

#### 2. In this Act,

- (b) "city district" means a district situated wholly or in part within the limits of a city;
- (d) "district" means a school district
  - (i) formed or established in accordance with the provisions of chapter 175 of the *Revised Statutes of Alberta*, 1942, or any other Act or ordinance respecting schools and in force in the Province at any time, or
  - (ii) formed or established pursuant to Part I;
- (f) "divisional district" means a district included in a division, or in a county;
- (g) "elector" means a person entitled to vote pursuant to Part IV;
- (i) "flag" means the Union Jack or such other flag as may be adopted by Canada;
- (p) "non-divisional district" means a district not included in a division or in a county;
- (r) "patriotic exercise" means an act, performance, entertainment, program or exercise, whether participated in by the pupils or not, designed to instruct the pupils in the principles and ideals of patriotism;
- (u) "rural district" means a district, no part of which is within the limits of a city or town or of a village other than a summer village;
- (v) "salary schedule" means a salary schedule adopted by a board pursuant to subsection (1) of section 359;
- (bb) "teacher" means a person holding a permanent or temporary certificate of qualification as a teacher issued by the Minister under *The Department of Education Act*;
- (cc) "temporary teacher" means a teacher employed by a board under a written contract in which he is so designated either
  - (i) to replace a teacher who is absent from his duties for a period of at least twenty teaching days, or
  - (ii) to fill an unexpected vacancy lasting for at least twenty teaching days during a school year;



- (dd) "town district" means a district situated wholly or in part within the limits of a town, other than a consolidated district;
- (ee) "trustee" means a member of the board;
- (gg) "village district" means a district situated wholly or in part within the limits of a village, other than a summer village, but does not include a consolidated district.

#### **Establishment of Public School Districts**

**4.** (1) The Minister, by an order in writing, may establish any portion of the Province as a public school district.

(2) The Minister may appoint an official trustee of the district who, on receipt of instructions from the Minister, shall call a meeting of the electors of the district to elect trustees.

**5.** (1) Any portion of the Province, on petition of the residents thereof, may be established as a public school district, if

(a) it does not exceed four miles in length or in breadth, exclusive of road allowances,

(b) it contains

(i) four persons actually resident therein who on the establishment of the district would be liable to assessment or who hold lands under a homestead, cultivation or grazing lease, issued under the provisions of *The Public Lands Act*, and

(ii) eight children not younger than five nor older than sixteen years of age, and

(c) the boundaries and name of the proposed district have been approved by the Minister.

(2) In a special case the Minister may permit a district to exceed four miles in length or in breadth or in both.

**6.** (1) Any three residents in any such portion of the Province may petition the Minister to establish that portion as a school district.

(2) The petition shall be in the form prescribed by the Minister.

**7.** If the Minister approves the boundaries and name of the proposed school district, he may

(a) forthwith order its establishment and appoint an official trustee, or

(b) require the petitioners to call a first meeting of the electors of the proposed district pursuant to the provisions of Part II.

## **School Act**

**8.** When the meeting of the electors of the proposed district has been held in accordance with the provisions of Part II, the Minister upon being satisfied that all the requirements of this Act have been substantially complied with, may order the establishment of the district.

### **Establishment of Separate School Districts**

**9.** (1) The minority of electors in any district, whether Protestant or Roman Catholic, may establish a separate school therein, and in such case the electors establishing a Protestant or Roman Catholic separate school are liable only to assessments of such rates as they impose upon themselves in respect thereof, and any person who is legally assessed or assessable for a public school in the district is not liable to assessment for any separate school therein.

(2) The petition for the establishment of a separate school district shall be signed by three electors of the religious faith indicated in the name of the proposed district and shall be in the form prescribed by the Minister.

**10.** The persons qualified to vote for or against the establishment of a separate school district are the electors in the district who are of the same religious faith, Protestant or Roman Catholic, as the petitioners.

**12.** (1) When the result of the vote reveals that a majority of persons voting for or against the district have voted in favour thereof, the Minister, by order, shall establish the district.

### **Union of Public and Separate School Districts**

**16.** (1) Where a separate school district has been established within a public school district, if it is resolved by the electors of each of these districts at public meetings of the electors respectively called for the purpose of considering the question that it is expedient that the districts should be dissolved for the purpose of union and the establishment of the area as a public school district, the Minister, by order, may dissolve the existing districts and establish the area as a public school district with such name as he may decide upon.

### **Formation of Consolidated School Districts**

**22.** (1) The boards of two or more non-divisional districts that are not less than thirty nor more than eighty square miles in area may apply to the Minister for the formation of the districts into a consolidated school district.

(2) Upon receipt of an application under subsection (1), the Minister may cause such inquiries to be made with reference to the application for the formation of a consolidated school district as he may deem proper and for that purpose the Minister

(a) may cause one or more public meetings of electors to be held in the proposed consolidated school district at such time or times, place or places and after such notice as he may require for the purpose of discussing the formation of the proposed consolidated school district, and

(b) may appoint one or more persons as a committee whose duty it shall be to furnish him with such information in respect of the proposed consolidated school district as he may require.

(3) Upon completion of his inquiry the Minister may order the formation of the consolidated school district, or refuse the application.

(4) Upon the formation of a consolidated school district, the assets of the respective districts vest in the board of the consolidated school district and the liabilities of the respective districts comprised in the consolidated school district become liabilities of the consolidated school district.

(5) The order forming a consolidated school district shall

(a) assign a name and number to the consolidated school district,

(b) list the districts comprised in the consolidated school district,

(c) set the effective date for the formation, and

(d) appoint an official trustee.

(6) Upon the appointment of an official trustee the board of each district comprised in the consolidated school district shall cease to hold office.

(7) The official trustee appointed pursuant to subsection (5) shall arrange, under the direction of the Minister, for the election of a board of trustees for the consolidated school district.

### **Constitution of School Divisions**

**23.** (1) The Minister, by order, may constitute a division which may consist of any number of rural public school districts not being districts included in a consolidated district.

(2) The Minister in the order constituting a division shall divide the division into not less than three nor more than five subdivisions

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consisting of districts included therein, and he shall include every such district in a subdivision.

### **Agreement for Inclusion of a District in a Division**

**32.** (1) The board of a division may enter into an agreement with the board of any city, town, village, consolidated or separate school district for the inclusion of the district in the division upon such terms as may be agreed upon.

### **Dissolution of District**

**43.** (1) The Lieutenant Governor in Council, by order, may declare that on and after a day therein to be named any district be dissolved and thereupon it and the board thereof cease to have any of the rights, powers and privileges vested in it by this Act.

### **Annual Meetings in Non-Divisional Districts**

**65.** The chairman shall conduct the business of the annual meeting in the following order:

- (a) the minutes of the last annual meeting;
- (b) the reports prepared by the principal or teacher, the trustees, the treasurer, and the auditor;
- (c) the report of the inspector;
- (d) miscellaneous business;
- (e) nomination of trustees;
- (f) election of trustees unless a deferred poll has been ordered by the Minister.

**66.** (1) The report of the principal or teacher shall be signed by him, and give the following particulars:

- (a) the number of days on which school was kept open during each term succeeding the last annual meeting;
- (b) the total number of children attending school during that period;
- (c) the average daily attendance for each term and for the year;
- (d) the classification of pupils and the number of pupils in each grade;

(2) The trustees' report shall be signed by the chairman, and shall give the following particulars:

- (a) the names of the trustees;

- (b) the officers of the district appointed by the trustees, and their salaries;
- (c) the vacancies created in the board during the year, giving the causes thereof, with an account of the elections held to fill the vacancies and the results thereof;
- (d) the engagements binding upon the board, with special reference to those entered into during the previous year;
- (e) the number of regular and special meetings of the board held during the year, together with a statement showing the number of meetings attended by each trustee.

(3) The treasurer's and auditor's report shall cover the fiscal year ending on the thirty-first day of December preceding the annual meeting, and they shall be in the form prescribed by the Minister.

(4) In any district authorized by the Minister to levy and collect taxes, the treasurer shall also prepare and sign a statement for the annual meeting respecting taxation for school purposes, in which he shall set forth

- (a) the total assessed value as shown by the last revised assessment roll of all property and businesses in respect of which the district levies and collects taxes,
- (b) the mill rate struck by the board,
- (c) the total amount levied for taxes in the preceding year,
- (d) the amounts received by the district during the preceding year on account of current taxes levied and collected by the district,
- (e) the aggregate amount of all arrears of taxes that the district is entitled to receive, and
- (f) the aggregate amount of all payments received during the preceding year on account of arrears.

(5) The inspector's reports that were received since the immediately preceding annual meeting was held shall be read, except such parts thereof as refer to the teacher or to the work or qualifications of the teacher, which shall not be read unless the meeting by resolution so directs.

(6) Any further reports in relation to the affairs of the district may be considered and disposed of by the meeting.

### **Constitution of Boards**

**74.** In each district, unless otherwise provided by this Act, there shall be a board of trustees, and the members of the board are a

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corporation under the name of "The Board of Trustees of \_\_\_\_\_  
School District No. \_\_\_\_\_" and shall have a common seal.

**76.** (1) Subject to the provisions of section 39, the board of a division shall consist of one trustee for each subdivision.

**77.** In every rural or village district other than one with respect to which the Minister has made an order under section 78, the board of trustees shall consist of three trustees.

**80.** (1) Subject to subsection (2), in every town or city district, the board of trustees shall consist of five trustees.

(2) The Minister, by order, may direct that the board of trustees in a city district consist of seven trustees, and, in the same or a subsequent order, may make provision for the terms of office of the trustees to be elected.

**83.** (1) In every consolidated school district that does not include a town, the board of trustees shall consist of one trustee for each district included therein, and in every consolidated school district that contains a town, the board of trustees shall consist of two trustees for the town district and one trustee for each other district included therein.

(2) If the board so constituted should consist of an even number of trustees, then the board shall consist of the number of trustees aforesaid and one additional trustee, who shall be elected by the electors of the consolidated district at large.

**85.** (1) Notwithstanding any other provisions of this Act, when the board of a school division provides for the attendance of the pupils residing in two or more districts at one school operated by the board, the Minister by order

(a) may direct that one board of trustees only is to be elected for all the districts, and

(b) may determine

(i) a place for the election of the board,

(ii) a date on or before which the election is to be held,  
and

(iii) the name of the new board.

## Ineligibility of a Teacher to Hold Office of Trustee

**87.** No teacher under contract to a board shall hold the office of trustee in any district or division.



## Disqualification of Trustee

**88.** (1) Any trustee who

- (a) is convicted of a criminal offence punishable by a term of over one year's imprisonment,
- (b) is convicted of any offence against the provisions of this Act and for which a penalty is provided,
- (c) becomes insane,
- (d) absents himself from the meetings of the board for three consecutive months without being authorized by resolution entered upon its minutes,
- (e) ceases to reside within the district or, in the case of a divisional trustee, within the subdivision, for which he is a trustee, or
- (f) ceases to be an elector of the district, shall be deemed to have vacated his seat, and the remaining trustee or trustees shall declare his seat vacant and forthwith order a new election to fill the vacancy.

(2) A person who is convicted of a criminal offence punishable by a term of over one year's imprisonment is disqualified from nomination or election to the office of trustee for a period of three years from the date of conviction.

## Prohibited Transactions

**89.** (1) No trustee of any district or division shall in his own name or in the name of another, alone or jointly with another, enter into any contract in which he has any pecuniary interest with the board of which he is a member.

(2) Every such contract entered into by a trustee is void.

(3) No trustee shall receive payment for any work done or for materials supplied to any person in connection with any contract awarded by the board or purchase made by the board, while the trustee was a member of the board.

(4) A trustee violating the provisions of this section shall be deemed to have vacated his seat, and the remaining trustees shall declare his seat vacant and forthwith proceed to fill the vacancy in the manner provided by this Act.

(5) A trustee violating the provisions of this section is guilty of an offence and liable on summary conviction to a fine not exceeding twenty-five dollars.

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- (6) Nothing in this section prevents a trustee from receiving
- (a) remuneration from the board for casual or part time employment as secretary, treasurer, janitor, local attendance officer, assessor or collector,
  - (b) the purchase price of a school site,
  - (c) a sum not exceeding ten dollars in any one year for labour or goods supplied,
  - (d) reasonable allowance for travelling expenses and subsistence when engaged away from his place of residence on business of the board authorized by a resolution of the board, or
  - (e) payment under Part X on account of any pupil of whom the trustee is the parent or guardian.

(7) Nothing in this section prevents a trustee of a district, other than a city district, who is a merchant, from making sales of goods and merchandise to the board or to persons contracting with the board in the ordinary course of his business, and from receiving payment for such goods and merchandise at the ordinary retail price to an amount not in excess of one hundred and fifty dollars in any one year.

(8) A trustee of a city district or of a division may make such sales to an amount not in excess of three hundred dollars in any one year.

## Persons Entitled to Vote

**104.** The following persons are entitled to vote at an election in a proposed district:

- (a) a Canadian citizen or a British subject of the full age of twenty-one years who is a resident of the proposed district, and who
  - (i) is the owner of property in the proposed district that, if the district were established, would be liable to assessment for school purposes,
  - (ii) is the tenant of property in the proposed district and that would then be liable to assessment for school purposes,
  - (iii) is under an agricultural lease issued under *The Public Lands Act*, the tenant of property in the proposed district, or
  - (iv) is the lessee from the Crown of property in a special area and in the proposed district;

- (b) the husband, wife, son, daughter, father or mother of any person described in clause (a) if the husband, wife, son, daughter, father or mother is a Canadian citizen or a British subject of the full age of twenty-one years and a resident of the proposed district.

**105.** The following persons are entitled to vote at an election in an established district other than a town or city district:

- (a) a Canadian citizen or a British subject of the full age of twenty-one years who is and has been a resident of the district for a period of not less than six months, and who
  - (i) is the owner of property in the district liable to assessment for school purposes,
  - (ii) is the tenant of property in the district liable to assessment for school purposes,
  - (iii) is, under an agricultural lease issued under the provisions of *The Public Lands Act*, the tenant of property in the district, or
  - (iv) is the lessee from the Crown of property in a special area and in the district;
- (b) the husband, wife, son, daughter, father or mother of any person described in clause (a) if the husband, wife, son, daughter, father or mother is a Canadian citizen or a British subject of the full age of twenty-one years and a resident of the established district;

**106.** The following persons are entitled to vote at an election in a town or city district:

- (a) a Canadian citizen or a British subject of the full age of twenty-one years whose name is on the town or city voters' list and who is entitled to vote in the town or city under the provisions of *The Town and Village Act*, or of *The City Act*;
- (b) a resident of that portion of the district that lies outside the town or city who would be an elector under section 105 if he were a resident of a rural district and who in the form prescribed by the Minister declares that he is an elector of the district.

**107.** The persons entitled to vote at an election in a subdivision of a division are the persons entitled to vote in the districts comprised in the subdivision.

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### Annual Elections

**110.** (1) Nomination and election of trustees in a town or city district shall be held at the same time and place, and by the same returning officer and conducted in the same manner as municipal nominations and elections of councillors or aldermen, except

- (a) as to qualifications for nomination, which, subject to *The City Act*, shall be as provided for in this Act for other districts, and
- (b) as to qualifications to vote, which shall be as provided for in section 106.

**116.** (1) At the electors' meeting in a rural, village or consolidated district any two electors of the district may nominate for election as trustee a person who is an elector of the district and able to read and write.

**133.** (1) A nomination for the office of divisional trustee shall be in writing and in the form prescribed by the Minister.

(2) The nomination is valid only if it is signed by at least five electors of the subdivision, other than the nominee.

(4) Only an elector of the subdivision who is able to read and write shall be a nominee.

### Procedure at Meetings

**167.** (1) No act or proceeding of a board is valid or binding unless it is adopted at a meeting at which a quorum of the board is present.

(2) A majority of the full board constitutes a quorum.

(3) If the number of members of the board is reduced to less than a quorum, the remaining members shall not transact any business of the district or division other than that necessary to fill the vacancies.

**171.** (1) Every meeting of the board shall be open and the board shall make reasonable provision for public accommodation.

(2) The chairman of a meeting of the board may order the exclusion or expulsion of any person whose conduct is or has been such as to interfere with the proceedings of the meeting.

### Relating to Administration

**173.** (1) The board of a non-divisional district or of a division shall administer the district or division.

- (2) For that purpose the board shall
  - (a) appoint a secretary and a treasurer, or a secretary-treasurer, and such other officers and servants as may be required, and fix their remuneration,
  - (b) procure a corporate seal for the district or division, and
  - (c) provide the officers of the board with the books necessary for keeping proper records of the district or division.
- (2a) The board may delegate to the secretary, treasurer, secretary-treasurer, or the superintendent authority to appoint officers and servants of certain designated classes.
- (3) A teacher employed by a district may be appointed as the secretary, but shall not be appointed as the treasurer or secretary-treasurer of the district.
- (4) The officers and servants appointed under subsection (2) shall each hold office during the pleasure of the board.
- (5) In the case of a division the appointment of the secretary-treasurer shall be subject to the approval of the Minister.

#### Relating to Instruction

- 178.** (1) The board of a non-divisional district or of a division may
- (a) decide the school that any pupil living in the district or division is to attend,
  - (b) subject to the approval of the Minister, enter into an agreement with any other board or boards in the Province, or a board or other publicly constituted school authority in the provinces of Saskatchewan or British Columbia, or in the Northwest Territories or in the State of Montana, for the instruction of pupils in any grade and in any course approved by the Department, upon such terms, including the fees payable by the board, as may be mutually fixed,
  - (c) furnish the pupils with text books, exercise books, pens, pencils and other supplies, either free of charge or at a price to be fixed by the board,
  - (d) supply the children of indigent residents with text books and other supplies at the expense of the board,
  - (e) provide a suitable library and make regulations for its management,
  - (f) provide pupils with correspondence tuition furnished through the Department, and

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- (i) pay the fees chargeable therefor, and
  - (ii) appoint and pay a suitable person to supervise and assist any group of pupils receiving such tuition in the performance of their work,
- and
- (g) make a grant to an organization or agency that provides instruction with the approval of the Chief Superintendent of Schools for pupils of subnormal mentality or other handicap who cannot be educated in the schools of the district or division.

(2) An agreement made under the provisions of clause (b) of subsection (1) may be terminated by either party giving notice to the other on or before the fifteenth day of May in any year, and upon notice being given, the agreement ceases and determines on the last day of the month of June following, unless the Minister otherwise orders.

(6) The board of a non-divisional district or of a division may, with the approval of the Minister, enter into an agreement with the Government of Canada to educate Indian children or the children of members of the regular armed forces, or of other persons employed by the Government of Canada, in a school or schools of the district or division and to receive consideration therefor.

(7) An agreement referred to in subsection (6) may

- (a) provide for the erection, operation and maintenance of school buildings,
- (b) provide for the education of the children in such school buildings at the expense of the board or otherwise,
- (c) restrict the purposes for which any school building erected under the terms of the agreement may be used, and
- (d) provide for the attendance of particular groups or classes of pupils at any school building erected under the terms of the agreement.

## Power and Duties of Boards

**179.** The board of a non-divisional district or a division shall

- (a) make regulations for the management of the school and communicate them in writing to the principal or teacher,
- (b) see that the school is conducted according to the provisions of this Act and the regulations made pursuant thereto,
- (c) suspend or expel from school (or exclude from travelling on a school bus) any pupil who, upon investigation by the



board, is found to be guilty of open opposition to authority, wilful disobedience, habitual neglect of duty, the use of profane or improper language, or other conduct injurious to the moral tone or well-being of the school, or to the welfare of the pupils being transported in the school bus, as the case may be, and

- (d) provide for the settlement or adjudication of all disputes arising in relation to school matters between any parent or child and a teacher.

**180.** The board of a non-divisional district or of a division may

- (a) require the parent or guardian of a pupil to replace or pay for school property destroyed, broken or damaged by the pupil,
- (b) suspend the pupil until the loss or damage is replaced or paid for,
- (c) make regulations concerning the management of and discipline in a dormitory operated by the board, and
- (d) operate pupil traffic patrols at street intersections in the vicinity of any of its schools and at any school bus stops and, if any such patrol is operated,
  - (i) may effect and keep in force a policy or policies of insurance indemnifying the board and its employees against liability imposed by law upon the board and its employees in respect of any claim for damages resulting from bodily injury to or death of any person or resulting from loss or damage to property arising from the operation of the patrol,
  - (ii) may effect and keep in force a policy or policies of accident insurance insuring every pupil against injury sustained while carrying out duties imposed on him as a member of the patrol, and
  - (iii) shall exempt from duty on the patrol any pupil whose parent indicates in writing to the board, or to the principal, his unwillingness to have the pupil serve thereon.

**181.** The board of a non-divisional district or of a division shall

- (a) allow students enrolled in the Faculty of Education of the University of Alberta, or their instructors, to attend any classroom of any school under its jurisdiction while it is in session for the purpose of observation or practice teaching,

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- (b) provide wholesome drinking water for the use of the children during school hours,
- (c) effect and keep in force a policy or policies of insurance, in such form and providing such minimum coverage as the Lieutenant Governor in Council may from time to time prescribe, indemnifying the board and its employees, when acting on behalf of the board, against liability in respect of any claim for damages or personal injury, and
- (d) perform any other duties required by this or any other Act or the regulations of the Department.

**182.** The board of a non-divisional district or of a division may

- (a) employ such physicians, dentists and nurses as may be deemed requisite to care for the health of the pupils and to advise parents and the board with respect thereto,
- (b) make any expenditures that it may deem necessary to safeguard the health of the pupils,
- (c) furnish the pupils with luncheon at the noon hour, either free of charge or at a price to be fixed by the board,
- (d) exclude from attendance at school any pupil who, in the judgment of the inspector or superintendent of schools, is so mentally deficient as to be incapable of responding to class instruction by a skilful teacher, or whose presence is detrimental to the education and welfare of the other pupils in attendance at the school, subject, however, to the right of an appeal by the parent or guardian of the pupil to the Chief Superintendent of Schools whose decision thereon is final,
- (e) make a cash contribution towards
  - (i) a school fair,
  - (ii) a school festival, or
  - (iii) an educational research organization that is approved by the Minister,
- (f) provide scholarships, bursaries or prizes for pupils of the district or division, and
- (g) provide assistance by way of bursary or loans to students undergoing teacher training courses.

## **Superannuation Prior to April, 1948 and Group Insurance**

**185.** The board of a city district may

- (a) continue to pay any teacher who retired from service with the board before the first day of April, 1948, such pension

or retirement allowance as the board has undertaken to pay under any scheme, arrangement or agreement applicable to such teacher,

- (b) make provision by by-law for effecting and maintaining group insurance including life, sickness and accident coverage applicable to and for the benefit of teachers and other employees employed by the board and contribute an amount not exceeding fifty per cent of the premiums for each group, and
- (c) pay to the chairman of the board such annual sum for his duties as may be fixed by the board.

### **Powers of the Board of a Divisional District**

**190.** (1) On the effective date of an order constituting a division or including a district in a division, the board of trustees of each district included in the division ceases to have any of the powers, duties and functions conferred upon a board of trustees by this Act, other than those set out in this section.

#### **(2) The board of a divisional district**

- (a) shall elect a chairman and appoint an honorary secretary-treasurer,
- (b) shall care for and manage the property of the district subject to any regulations of the board of the division,
- (c) may make representations to the superintendent of the division as to the maintenance, repair and extension of the school and other buildings of the district and any furniture and equipment therein,
- (d) may raise money by voluntary subscription or by other voluntary means for the purpose of providing equipment approved by the superintendent and not ordinarily provided by the board of the division,
- (e) may, with the consent of the Minister, make arrangements, at the cost of the division, for the supply and maintenance of drinking water and of fuel for the school of the district, in the event that adequate provision as required by this Act is not made with respect thereto,
- (f) may, where deemed necessary and with the consent of the Minister, provide at the cost of the division suitable toilet and sanitary accommodation,
- (g) shall co-operate with the teacher in the care, management and supervision of school property,

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- (h) shall effect any emergency repairs to school property that may be necessary, subject to any regulations of the divisional board and at the cost of the division,
  - (i) may make representations to the superintendent and to the divisional board as to the betterment or extension of the educational facilities for residents of the district,
  - (j) may nominate by resolution one or more persons for employment as teacher or teachers in the school of the district,
  - (k) shall meet at the call of any trustee for the purpose of the consideration of any matter of educational concern to the district,
  - (l) shall call annual and other meetings of the electors of the district whenever required to do so by law,
  - (m) shall make provision for the holding of elections of trustees in accordance with the provisions of this Act,
  - (n) shall perform such other duties as may be required by this or any other Act or the regulations of the Department, and
  - (o) may request by resolution that religious instruction or a primary course in French be given in any school in the district under the provisions of section 391 or 386, as the case may be.
- (3) If the board of a divisional district fails to appoint an honorary secretary-treasurer, the divisional board may make this appointment.

## Superintendent of Division

### 199. The superintendent shall

- (a) confer with the board of the division and advise the board concerning the educational problems and needs of the division,
- (b) attend all meetings of the board and exercise, subject to the direction of the board, general supervision over all schools, teachers, property and services under the jurisdiction of the board,
- (c) assist the board in the discharge of its duties,
- (d) exercise the powers of an inspector of schools with respect to the total area to which he is assigned by the Minister, and
- (e) confer with and advise the board of any non-divisional district in that area that has not appointed a superintendent,

concerning the educational problems and needs of the district.

### **Superintendent of District**

**200.** (1) Subject to such regulations as the Minister may from time to time establish, the board of a district employing more than twenty teachers may appoint a superintendent of schools.

(2) The board shall appoint the superintendent by a motion of the board, which shall set forth the conditions of his employment.

(3) The board may terminate the appointment of a superintendent at any time by a motion of the board but the motion does not take effect until at least thirty days after notice of the passing thereof has been given to the superintendent.

(4) Notwithstanding subsection (3), the board may, at any time after the passing of the motion terminating the appointment, suspend the superintendent from the performance of his duties.

(5) The board employing a superintendent may prescribe a set of instructions to be followed by the superintendent in the performance of his duties, if the instructions are not contrary to the provisions of this or any other Act.

(6) Unless it is otherwise directed by the board, the superintendent shall be the chief executive officer of the board and shall, subject to subsection (5), have jurisdiction over all aspects of the business of the board.

### **Powers of Board Respecting School Buildings**

**222.** The board of a non-divisional district or of a division shall

- (a) provide adequate school accommodation for the purposes of the district or division,
- (b) build, repair, furnish and keep in order the school house or houses, furniture, fences and all other school property,
- (c) keep the well, closets and premises generally in a proper and sanitary condition,
- (d) make due provision for properly lighting, heating, ventilating and cleaning the school room or rooms under its control,
- (e) provide suitable toilet and sanitary accommodation in the school building, or buildings, or in the alternative, separate buildings for privies for boys and girls, which buildings shall be approved by the superintendent or inspector of schools, and
- (f) insure and keep insured all school buildings and equipment.

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**225.** No school building to be used for the instruction or accommodation of pupils and no addition to a school building to be so used shall be erected except in accordance with plans and specifications approved by the Department.

### **Regulations Governing Conveyance of Pupils**

**312.** (1) The Minister, subject to the approval of the Lieutenant Governor in Council, may make such regulations as are deemed necessary and expedient

- (a) relating to the proper conveyance of pupils, and
- (b) providing for the keeping of records as to number of pupils conveyed, the distance travelled, the cost of conveyance, and such other information as may be desired.

(2) The principal of a school shall keep such daily records as the board may require for its own purposes or for the compilation of reports required by the Minister under the provisions of subsection (1).

**313.** In computing distances for the purposes of this Part,

- (a) the official survey made under any Act of Canada or the Province relating to surveys shall be accepted as final and conclusive and all sections shall be deemed to be one mile square and no more,
- (b) the width of road allowances shall be excluded from the computation, and
- (c) the distance of a residence from a school or from a bus route shall be the shortest distance measured along a travelled road between the boundary of the school site or the bus route, as the case may be, and the nearest boundary of the quarter section, river lot or lake lot upon which the pupil resides.

### **Power of Board to Appoint Teachers**

**330.** The board of every non-divisional district and of every division shall in the manner provided by this Act employ duly qualified teachers to teach in the school or schools in its charge and shall designate the school or room in which each of its teachers will teach.

### **Qualification of Teachers**

**331.** (1) Except as hereinafter provided, no person shall be employed as a teacher in any school unless he holds a permanent or temporary certificate of qualification issued by the Minister under *The Department of Education Act*.



(2) No permanent certificate shall be issued to any person who is not a British subject.

(3) A person who is not qualified as required by this section is not entitled to recover in a court of law any remuneration for his services as a teacher.

(4) A person who is not so qualified shall not undertake to conduct a school as a teacher.

(5) No board shall employ as a teacher in its school any person other than a person qualified as required by this section.

### Teachers' Contracts

**332.** (1) Subject to the provisions of the following subsections, a teacher shall be deemed to have entered into a contract of employment with a board after an offer of employment is made to the teacher by the secretary and followed by an acceptance of the offer by the teacher on or before the eighth day following the date of the offer.

(2) If the teacher accepts the offer on or before the eighth day following the date of the offer, the secretary shall send a confirmation of the resulting contract to the teacher forthwith.

(3) If the teacher does not accept the offer until after the eighth day following the date of the offer made by the secretary, no contract exists.

(4) After the eighth day following the date of the offer, the teacher may send a statement to the secretary to the effect that he wishes to accept the offer.

(5) Within four days after the receipt of the teacher's statement the secretary may send him a notification that he is under contract to the board, and the teacher shall be deemed to be under contract from the date of the notification.

(6) For the purposes of this section,

- (a) an offer, acceptance, confirmation, statement, or notification shall be in writing, and may be sent by registered mail or by telegraph, or delivered by hand or ordinary mail, and
- (b) the date of an offer, acceptance, confirmation, statement, or notification, if sent by registered mail or by telegraph is the date of mailing or despatch, and if delivered by hand or ordinary mail is the date of receipt.

**333.** If a teacher is or has been participating in a strike under *The Alberta Labour Act*, any contract of employment entered into between the teacher and another board before the strike is terminated is void, unless the board involved in the strike consents in writing to the teacher accepting employment with the other board.

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**334.** The functions that may be performed by the secretary as set out in section 332 may be performed by the superintendent in a school division or in a district employing a superintendent if he is so authorized by a resolution of the board.

**335.** Under any contract the terms of the employment shall be as provided by this Act and the teacher shall be paid in accordance with the salary schedule adopted by the board.

**336.** Except as provided in section 344, no written contract is required apart from the offer, acceptance, confirmation, statement and notification referred to in section 332.

**337.** Subject to the following provisions, a contract of employment of a teacher shall continue in force from year to year, unless the certificate of the teacher is suspended or cancelled, or unless it is terminated by mutual consent.

### Termination of Contracts

**338.** (1) Every contract of a teacher shall terminate on the thirty-first day of August following the date on which the teacher attains the age of sixty-five years.

(2) A board may employ a teacher who has attained the age of sixty-five years as a temporary teacher or as a substitute teacher.

**339.** Subject to the conditions set out in sections 340 to 343 either party thereto may terminate the contract between the teacher and the board by giving at least thirty days' notice in writing to the other party of his or its intention to do so.

**340.** (1) Unless it obtains the approval of the Minister to do so no board shall give a notice to terminate a contract effective in any month except July.

(2) A notice to terminate a contract effective in the month of July shall be given to the teacher by the board on or before the preceding fifteenth day of June.

**341.** (1) Unless he obtains the approval of the Minister to do so, no teacher shall give a notice to terminate a contract effective in any month except July or August.

(2) Unless he obtains the approval of the Minister to do so, no teacher shall give a notice to terminate a contract under which he has not yet rendered service.

(3) A notice to terminate a contract effective in the month of July or August shall be given to the board by the teacher on or before the preceding fifteenth day of June, unless the teacher

enters into a contract with another school board in the Province in which case the notice may be given on or before the preceding fifteenth day of July.

(4) If a teacher enters into a contract of employment with another board his notice to terminate his existing contract of employment shall, in addition to complying with the other requirements of this section, be given within eight days after the new contract is made.

**342.** A notice to terminate a contract may be given either by delivering it to the person to whom it is addressed, or by sending it in a duly addressed and prepaid envelope by registered mail, and in the latter case the notice shall be deemed to have been given upon the day on which it is mailed.

**343.** (1) If a teacher notifies the secretary in writing of a post office address to which notices may be sent, the secretary shall send all notices to that address.

(2) If the teacher gives no notification under subsection (1), any notice sent by the secretary by mail shall be deemed to be properly addressed if addressed to the teacher at his latest known post office address.

#### **Temporary and Substitute Teachers**

**344.** (1) Where a temporary teacher is employed, a written contract of employment shall be executed by the parties and the provisions of sections 332, 334 and 336 to 343, do not apply.

(2) The written contract shall

(a) be in the form prescribed by the Minister,

(b) be signed in triplicate by the teacher and by the chairman or by a member of the board who is authorized by resolution of the board to sign the contract on behalf of the board, and

(c) designate the period during which the teacher is to be employed and the date on which the employment is to terminate.

(3) The board shall transmit one copy of the contract to the Department forthwith after its execution.

(4) In the event of any alteration or amendment of the form prescribed by the Minister being made without the approval of the Minister, the prescribed form has effect as if such alteration or amendment had not been made.

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**345.** Where a substitute teacher is employed a written contract is not required and the provisions of sections 332 to 343 inclusive do not apply to such a teacher.

### **General Provisions Relating to Contracts of Employment**

**346.** (1) No contract of employment shall contain or be subject to a term or condition requiring the teacher to perform janitor services or any services or duties other than those set out in section 368 or provided for elsewhere in this Act.

(2) Any such term or condition is void and of no effect.

**347.** (1) At any time the Lieutenant Governor in Council may summarily terminate the contract of a teacher and any such termination is final and conclusive and binding upon the board and the teacher.

(2) The minister shall, in the manner prescribed in section 342, give notice in writing of the termination to the teacher and to the board.

### **Transfer of Teachers**

**348.** (1) A board may transfer a teacher from one school or room in its charge to another at any time during the school year.

(2) The board shall give to the teacher concerned seven days' notice in writing of the transfer.

(3) Within seven days after receiving notice of the transfer, the teacher may request, in writing, an opportunity to be heard before the board.

(4) If a hearing is requested, the transfer shall not be effective until the teacher has been heard before the board or a committee thereof.

(5) The board shall not under this section transfer a teacher who has been designated to be a principal, vice-principal or assistant principal under section 370.

**349.** The board of a division may pay all or part of the expenses necessarily incurred by a teacher in moving himself, his family and his personal and household effects as a result of a transfer from one school to another within the division.

### **Suspension and Dismissal**

**350.** (1) A board may suspend or dismiss a teacher summarily for gross misconduct, neglect of duty, or for refusal or neglect to obey any lawful order of the board.

(2) The board shall give notice in writing to the teacher, and transmit a written statement of the facts to the Minister forthwith.

(3) A teacher who is suspended or dismissed summarily by the board may appeal to the Minister within fifteen days.

(4) The Minister shall investigate the matter and confirm or reverse the decision of the board.

(5) If the Minister reverses the decision, the board shall reinstate the teacher.

### **Board of Reference**

**351.** (1) The Lieutenant Governor in Council shall appoint a Board of Reference, which shall consist of not more than three members.

(2) The members of the Board of Reference shall receive such remuneration as the Lieutenant Governor in Council may determine.

**352.** (1) When a dispute or disagreement arises between a board and a teacher with respect to the termination of a contract between the board and the teacher, either party to the dispute or disagreement may make application to the Minister to refer the dispute to the Board of Reference.

(2) No application shall be made in any case where the contract has been terminated with the approval in writing of the Minister or where the contract has been in effect for less than twelve months.

(3) When an application is before the Minister, the termination of the contract shall not take effect until the Minister has received the decision of the Board of Reference.

**353.** (1) The application shall be in writing, and shall set forth a complete statement of the nature of the complaint or dispute, and the statement shall be verified by statutory declaration on the part of the party or parties making the application.

(2) The applicant shall pay to the Minister a fee of twenty-five dollars, which may be returned or otherwise disposed of on the recommendation of the Board of Reference.

(3) The application shall be sent by registered mail to the Minister not later than the thirtieth day of June in any school year, and

(a) within twenty days of the giving of the notice of termination of the contract to the applicant, or

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- (b) within twenty days of the date on which the dispute or disagreement is stated in writing, if no notice has been given.

(4) The applicant shall forthwith send a copy of the application to the other party to the dispute or disagreement.

**354.** If, before the investigation of a dispute by the Board of Reference, the party making application, or his agent, requests of the Minister that the application be withdrawn, the Minister shall not refer the dispute to the Board, or if the application has already been referred to the Board, shall advise the Board of the withdrawal, and no hearing or investigation is required.

**355.** (1) Subject to section 354, upon receipt of the application, the Minister shall refer the dispute or disagreement in question to the Board of Reference.

(2) The Board of Reference may make such investigation as it deems necessary and shall make a decision on the dispute or disagreement.

(3) Where the board of trustees purports to terminate the contract, if the Board of Reference is satisfied that

- (a) the board of trustees in terminating the contract did not act as reasonable persons should act in the discharge of their duties as trustees, and

(b) the contract was not terminated,

(i) because of the misconduct or inefficiency of the teacher,

(ii) by reason of anything in the mode of life, character, or disposition of the teacher of a nature calculated to make the retention of the teacher detrimental to the proper and efficient conduct of the school for which the trustees are responsible,

(iii) by reason of the financial necessities or circumstances of the district, or

(iv) for the reason that the termination of the contract is conducive to the general welfare of the district and the betterment of the educational facilities therein,

the Board of Reference shall disallow the action of the board of trustees.

(4) The decision of the Board of Reference is binding and conclusive upon the board of trustees and the teacher.

**356.** The Board of Reference, for the purpose of procuring the attendance of witnesses and compelling them to give evidence, has



all the powers that may be conferred on a commissioner appointed under *The Public Inquiries Act*.

**357.** (1) The Minister, in any case in which he thinks it proper to do so, may refer an application to a designated member of the Board of Reference instead of referring it to that Board.

(2) The member of the Board to whom the application is referred has the same powers and duties as are conferred or imposed on the Board and his decision shall be deemed to be a decision of the Board.

### **Payment of Teachers**

**358.** Teachers may bargain collectively with the board of a non-divisional district or of a division and may conduct such bargaining through a bargaining agent pursuant to *The Alberta Labour Act*.

**359.** (1) Subject to section 358, the board of a non-divisional district or of a division shall prepare and adopt a salary schedule, and forward the schedule and any amendments made thereto to the Department within ten days after adoption.

(2) Any salary schedule adopted pursuant to subsection (1)

(a) shall be applicable to all teachers employed by the board, except substitute teachers,

(b) shall set out with respect to each class of teacher,

(i) the minimum salary,

(ii) the annual increments, which may be limited by a maximum salary, and

(iii) the period of time for which the schedule is operative, and

(c) may deal specifically with temporary teachers.

(3) The salary schedule may provide for additional remuneration of principals and other teachers vested with special supervisory duties and for additional remuneration for teachers with special qualifications and previous experience.

(4) When a district is included in a division

(a) the teachers under contract to the district are under contract to the division,

(b) the schedule of the district continues in effect with respect to any such teacher for one year after its effective commencement date, and thereafter until the effective commencement date of a new schedule adopted by the division

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pursuant to subsection (1), in the negotiation of which the teachers formerly under contract to the district have participated as employees of the division, and

- (c) the new schedule referred to in clause (b) may provide for the continuance of the district's schedule, or any portion thereof, in respect of any teacher formerly under contract to the district.

(5) Notwithstanding the provisions of any other Act, the board of the division, prior to the adoption of the schedule referred to in clause (b) of subsection (4), may pay to any teacher the salary that would be payable under the terms of the schedule of the division if such salary is in excess of that payable under the terms of the schedule of the district.

(6) When a district is transferred from one division to another division, the teachers teaching in that district are under contract to the division to which the district is transferred, and the provisions of subsections (4) and (5), with the necessary changes being made, apply to such teachers and the salary schedules applicable thereto.

(7) When a district changes from a divisional district to a non-divisional district.

- (a) every teacher employed in the school of the district that has been changed from a divisional district to a non-divisional district is under contract to the board of the non-divisional district, and

- (b) the schedule of the division continues in effect with respect to any such teacher until the effective commencement date of a new schedule that has been adopted by the board of the non-divisional district pursuant to subsection (1).

**360.** (1) The salary of a teacher shall be expressed in every contract or salary schedule in terms of an annual or monthly rate.

(2) Where the salary is expressed in terms of a monthly rate, the annual rate shall be twelve times the monthly rate.

**361.** (1) A board shall pay every teacher to whom salary is due, except a substitute teacher, one-twelfth part of his annual salary at the rate or rates in effect during the month,

- (a) on the last teaching day of every calendar month except August, and

- (b) on the last day of July when there are no teaching days in that month.

(2) Subject to section 367, on or before the thirty-first day of August, a board shall pay every teacher, except a substitute teacher,

the sum that completes the payment of his salary as determined under sections 362 to 366 inclusive.

(3) A substitute teacher shall be paid at the end of each month or oftener at the discretion of the board.

(4) Notwithstanding subsection (1), if a teacher is entitled to receive payment for fewer than fifteen teaching days in a month, the board may make a proportionate payment for that month.

(5) A board may withhold an amount not exceeding one monthly instalment of a teacher's salary at the end of each term until such time as the teacher submits to the secretary such reports and returns as may be required by the Department.

**362.** (1) Every teacher who teaches upon all the days of a school year upon which his school should be in operation under the provisions of this Act shall be paid his full annual salary by the board.

(2) Except as provided in subsection (3), the board shall pay to every teacher who is under contract for a period including all the teaching days of a school year and who does not teach upon all the days upon which his school should be in operation, his full annual salary less one two-hundredth part of such salary for each day upon which he does not teach.

(3) The board shall pay

(a) to every teacher under contract for a period that does not include all the teaching days of a school year, and

(b) to every teacher who is under contract for a period including all the teaching days of a school year but who during that year teaches upon fewer than one hundred days,

one two-hundredth part of his annual salary for each day taught.

(4) For the purposes of this section, a teacher shall be deemed to have taught upon all days

(a) during which the school is lawfully in operation under his charge or would be in such operation save for an order of the board to the contrary,

(b) other than those within a vacation period upon which he is necessarily absent from his school in order to attend a teachers' convention or institute or school fair or festival approved by the Minister,

(c) during which his school is closed by an order made pursuant to *The Public Health Act*, or by the board on account of the existence within the district or division of

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an actual or threatened epidemic of disease, but not exceeding in all thirty days in the year,

- (d) other than Thanksgiving Day, proclaimed or declared as holidays by order of the Governor General in Council, the Lieutenant Governor in Council, or by council of the city or town within which the school taught by the teacher is located, and any holidays declared or permitted by the board under the provisions of this Act,
- (e) upon which the school is closed by law for the purpose of holding an election,
- (f) for which the teacher is entitled to salary in accordance with the provisions of section 363, or
- (g) upon which he is attending any meeting authorized or required by the board.

**363.** (1) A teacher who is absent from school to obtain necessary medical or dental treatment or because of accident, disability, or sickness is entitled to his salary during such absence.

(2) The teacher is not entitled to salary under this section for more than twenty days in an entire school year.

(3) If the teacher has rendered service for less than two hundred days in a school year, he may claim salary under this section for a number of days not to exceed the number of days he might be absent for the reasons set out in subsection (1) bearing the same relation to twenty as the number of days of service bears to one hundred and eighty.

(4) Before paying salary under this section the board may require a certificate from a qualified medical or dental practitioner.

(5) A board shall pay the salary payable under this section on the last day of each month.

(6) A board may under this section pay full or part salary for a greater number of days than twenty, and may adopt a scheme whereby a teacher may earn, during service with the board, an entitlement of salary applicable to periods of illness, the unused portion of which may be carried forward from year to year.

**363a.** (1) A teacher who, despite reasonable effort, is unable to travel to his school from his usual place of residence because of

- (a) inclement weather,
- (b) impassable road conditions, or
- (c) the failure of transportation facilities other than his own, is entitled to his salary for the periods of absence so occasioned.

(2) Notwithstanding subsection (1), a teacher is not entitled to the benefit of that subsection if

- (a) his usual place of residence is outside the school district in which his school is located, and
- (b) he had not, before the circumstances giving rise to his absence arose, obtained the approval of the school board to his residence being so located.

(3) The teacher may appeal to the Chief Superintendent of Schools against a decision of the school board that the teacher is not entitled to salary under this section, and the decision of the Chief Superintendent of Schools is final.

**364.** The board, in its discretion, may pay the salary of a teacher for any day during which he is absent from school by reason of family affliction or other cause deemed sufficient by the board.

**365.** (1) Notwithstanding section 363, the board may require a teacher who is pregnant to take leave of absence with or without salary for such period as it may direct.

(2) The Chief Superintendent of Schools, on the appeal of a teacher who has been required to take leave of absence without salary under subsection (1), may modify the period of this leave of absence to such extent as he, in his discretion, may determine.

**366.** (1) The board of a district or division in its discretion may grant a teacher leave of absence for the purpose of improving his professional qualifications, for reasons of health, or for other reasons acceptable to the board.

(3) During leave of absence under this section the board may pay the teacher all or a part of his salary.

(4) When notifying the teacher that leave of absence has been granted, the board shall state that the leave is from a particular position, or from the staff of the district or division.

(5) Notwithstanding section 371, if leave of absence is granted from the staff, the granting and acceptance of the leave terminates any designation that the teacher has received under section 370, but the teacher, on his return to the staff, is entitled to a position equivalent in terms of salary to that which he held at the time of taking leave.

**367.** (1) A teacher whose contract with a board has expired or has been terminated or who has been dismissed summarily by the board is entitled, on submission of such reports and returns as may be required by the Department, to receive forthwith all moneys due him for his services as a teacher while employed by the Board.

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(2) If payment is not made or tendered to the teacher by the board, the teacher is entitled to recover the full amount of his salary due and unpaid with interest at the rate of six per cent per annum, in any court of competent jurisdiction.

## Duties and Powers of Teachers

### 368. (1) A teacher shall

- (a) teach diligently and faithfully all the subjects required to be taught by the regulations of the Department,
- (b) maintain proper order and discipline,
- (c) conduct and manage the school according to the regulations of the Department,
- (d) keep a time-table showing the daily instructional program of the school,
- (e) keep the school registers in the prescribed form and give access to them to trustees, officers of the board, inspectors and any other person authorized by the Minister to inspect them,
- (f) report to the attendance officer of the district or of the division in which the school is situated,
  - (i) the names, ages and residences of all pupils on the school register who have not attended school as required by Part XIV, together with such other information as the attendance officer may require, and
  - (ii) every case of suspension or expulsion from school,
- (g) make at the end of each term or at any other time such promotions from one grade to another as he deems expedient, subject to the approval of the principal and the ratification of the inspector or superintendent.
- (h) admit to his classroom for the purpose of observation and practice teaching students enrolled in the Faculty of Education and their instructors, and give them any assistance requested by the instructors,
- (i) send to the parents or guardians of each pupil, at such times as may be required by the board, a report on the pupil's attendance, conduct, and progress,
- (j) take an interest in the cleanliness and tidiness of the school grounds, and encourage the observance of Arbour Day by holding suitable exercises, and by co-operating with trustees and parents in planting trees and shrubs about the school,



- (k) give strict attention to the proper heating, ventilation, and cleanliness of the school and to the condition of the out-houses in connection with it, and report to the board any defect with respect thereto,
- (l) report to the secretary or other officer of the board any necessary repairs to the school buildings or furniture and any requirements of fuel, drinking water, furniture, or equipment.
- (m) exercise vigilance over the school property, and the school buildings, fences, furniture, and apparatus, to prevent unnecessary damage and give prompt notice in writing to the board of any damage,
- (n) notify the secretary of the board and the local health authority whenever he has reason to believe that a pupil attending school is affected with or has been exposed to smallpox, cholera, scarlatina, diphtheria, whooping cough, measles, mumps, trachoma, or other infectious or contagious disease,
- (o) exclude from school any pupil affected by or exposed to or suspected of being affected by or exposed to infectious or contagious disease until
  - (i) the teacher is furnished with a written statement of a physician or the local health authority that the contagious or infectious disease does not exist, or that the pupil has not been exposed, or that all danger from exposure is ended,
  - (ii) the teacher is satisfied, where no physician or representative of the local health authority is available, that the proper period of isolation has elapsed and that the pupil has apparently completely recovered or that all danger from exposure is apparently ended, or
  - (iii) the teacher, in the case of a pupil affected with impetigo, pediculosis, pinkeye, scabies, or ringworm, is satisfied that adequate treatment is being carried out,
- (p) assist the board and its officers in making the prescribed returns to the Department,
- (q) furnish on request to the Minister, the inspector of schools, the board, or any person authorized by the Minister, any information that it may be in his power to give respecting anything connected with the operation of the school or in any wise affecting its interests or character,

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- (r) deliver up the school registers, school building keys or any other property of the board in his possession when required to do so by a written order of the board,
  - (s) attend all meetings of the teachers called by the principal where more than one teacher is employed, and
  - (t) conduct such patriotic exercises at such times and places and in such manner as the board may direct,
  - (u) attend any meeting of teachers that is
    - (i) called by or under the authority of the board on a day other than a holiday and other than a day during July or August or the Christmas or Easter vacation, and
    - (ii) for the purpose of school organization or the improvement of instruction.
  - (v) upon the written request of the board, deliver to the secretary of the board an official certificate of the date of his birth, or where such certificate is not procurable, deliver a statutory declaration of age or such other proof of age as may be required by the board.
- (2) In the case of a teacher employed by a division, the board referred to in subsection (1) is the board of the division.
- (3) Notwithstanding subsection (2), the board of a division may direct the teacher in writing that with respect to any specified clause in subsection (1) the board referred to shall be the board of the district only, or shall be the board of the district in addition to the board of the division, and thereupon the teacher shall perform his duty in compliance with the direction.
- 369.** (1) A teacher may suspend from a class or from school a pupil who is guilty of open opposition to authority, wilful disobedience, habitual neglect of duty, the use of profane or improper language, or other conduct injurious to the moral tone or well-being of the school.
- (2) The teacher shall report any suspension immediately to the principal if in a graded school.
- (3) The principal of the school, or the teacher in the event of there being no principal, shall
- (a) prepare forthwith a written report of the suspension setting out all the circumstances, and
  - (b) send the report
    - (i) to the board by which the teacher is employed,
    - (ii) to the superintendent, if any, and
    - (iii) to the attendance officer.

(4) The board may take such action as it deems necessary with regard thereto.

**Principals, Vice-Principals, and Assistant Principals**

**370.** (1) In a school where there are two or more teachers, the board

- (a) shall designate one teacher to be principal of the school, and
- (b) may designate one or more teachers to be vice-principals or assistant principals.

(2) In a school where there are eight or more teachers the board shall designate one or more teachers to be vice-principals or assistant principals.

(3) In computing the number of teachers, a person teaching less than two and one-half days per week in the school shall not be counted.

(4) The board may designate a teacher to be an acting principal or an acting vice-principal or an acting assistant principal and the designation is effective until the thirtieth day of June next following unless

- (a) the designation, when made, is specified to terminate on an earlier date,
- (b) a principal, vice-principal or assistant principal, as the case may be, is regularly designated for the position, or
- (c) the designation is sooner terminated in the manner set out in subsection (2) of section 371, in which case a hearing in accordance with section 372 may be requested.

**371.** (1) If a teacher is designated to be a principal, vice-principal or assistant principal of a school, the designation shall remain in effect until terminated.

(2) The designation may be terminated

- (a) by the board passing a resolution terminating the designation and giving at least thirty days' notice in writing to the designee, or
- (b) by the designee giving at least thirty days' notice in writing to the board.

(3) No notice shall be given that is effective in any month other than July unless the consent of the Minister to a notice effective at some other time has first been obtained.

(4) A notice effective in the month of July shall be given on or before the preceding fifteenth day of June.

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**372.** (1) If a teacher receives a notice of termination of designation effective in the month of July he may, within seven days of the receipt of the notice, request in writing a hearing before the board.

(2) If a hearing is requested, the board, within fourteen days of the receipt of the request, shall provide an opportunity for the teacher to appear before the board or a committee thereof to hear the reasons for the withdrawal of the designation and to reply thereto.

(3) If the board does not withdraw the notice of termination within seven days from the date of the hearing, the teacher may within fourteen days from the date of the hearing appeal to the Minister who shall cause an investigation to be made and who may, in his discretion, confirm or disallow the termination of the designation.

**373.** (1) The termination of the contract of a teacher also terminates his designation, if any, under section 370.

(2) The termination of designation under section 371 does not terminate the contract of the teacher.

**374.** (1) Subject to the approval of the board, the principal in consultation with the superintendent shall

- (a) allocate the duties of the teachers of his school, and
- (b) be responsible for the organization and general discipline of his school.

(2) The principal shall report to the board or the superintendent

- (a) upon the organization and operation of his school whenever the board or the superintendent requests him to do so, and
- (b) whenever, in his opinion, conditions or circumstances warrant their being informed.

(3) The board may make regulations, not inconsistent with any provision of this Act, governing the duties of principals and vice-principals in the employ of the board.

## Teachers' Associations

**375.** Any number of teachers may organize themselves into an association and, subject to the regulations of the Department, may hold conventions and institutes for the purposes of receiving instruction in and discussing educational matters.

## School Year and School Hours

**377.** (1) The period beginning on the first day of July in any year and ending on the thirtieth day of June in the following year shall be known as the school year.

(2) The school year shall be divided into two terms ending the thirty-first day of December and the thirtieth day of June which shall be known as the December and June terms respectively.

**378.** (1) School shall be held from nine o'clock until twelve o'clock in the forenoon and, at the discretion of the board, either from half-past one o'clock until four o'clock or from one o'clock until half-past three o'clock in the afternoon.

(2) The board may alter the hours of opening and closing in a school, or shorten the school hours, upon receiving the permission in writing of the Minister.

**379.** (1) A recess of fifteen minutes both in the forenoon and in the afternoon shall be allowed the children attending school.

(2) Notwithstanding subsection (1), a board operating a departmentalized high school may authorize the principal to shorten or to eliminate either or both of the recesses.

**380.** (1) Every school shall operate continuously throughout the school year from an opening date on or after the first day of September except

- (a) on holidays provided for in this Act,
- (b) during Christmas and Easter vacations, and
- (c) during periods in which the school is closed under section 384.

(2) The board shall set the opening date in each school year, and in doing so shall provide, as nearly as possible, for two hundred operating days in that school year.

(3) Under special circumstances and with the consent of the Minister a board may set the opening date of a school before the first day of September.

## Vacations and Holidays

**381.** (1) The Christmas vacation shall extend from the twenty-fourth day of December to the second day of January both inclusive but a board may with respect to any school or a classroom of any school lengthen the Christmas vacation by not more than two school days.

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(2) The Easter vacation shall be the four days immediately following Easter Monday.

**382.** (1) The Minister may allow a board to keep its school in operation during a specified period between the end of one school year and the opening date of the next.

(2) A board by mutual agreement with a teacher may arrange for the operation of his school during all or part of the Easter vacation.

(3) Any days on which a school is operated under this section are operating days for all the purposes of this Act.

**383.** (1) Saturday, Sunday, Good Friday, Easter Monday, Victoria Day, Labour Day, Thanksgiving Day, Remembrance Day, and any day proclaimed as a holiday by the Governor General in Council, the Lieutenant Governor in Council or the council of a city or town, are holidays.

(2) A board may declare to be a holiday

(a) Ash Wednesday,

(b) the birthday or the day fixed by Proclamation for the celebration of the birthday of the reigning sovereign, and

(c) the day, commonly known as Arbour Day, appointed by Proclamation as a public holiday for the planting of forest or other trees.

(3) A board in its discretion may permit other holidays, not exceeding one day in a month, and not exceeding one day at a time.

(4) The Lieutenant Governor in Council may declare any day to be a school holiday.

**384.** A board of trustees by resolution may close a school for such period as may be approved by the Minister.

## Language to be Used

**385.** All schools shall be taught in the English language.

**386.** (1) Notwithstanding section 385, the board of a district may cause a primary course to be taught in the French language.

(2) If the board of a divisional district passes a resolution requiring that a primary course in French be given in a school in that district and transmits the resolution to the board of the division not later than the first day of August, the division shall cause a primary course to be taught in the French language in that school.

(3) If the board that passes a resolution under subsection (2) nominates a teacher and transmits the nomination to the board of the division not later than the first day of August, the board of the



division shall appoint the teacher nominated by the board of the district to the school of that district if that teacher enters into a contract.

**387.** (1) A board, subject to the regulations of the Department, may employ one or more competent persons to give instruction in a language other than English to all pupils whose parents or guardians have signified a willingness that they should receive the same.

(2) The course of instruction shall not supersede or in any way interfere with the instruction required by the regulations of the Department and by this Act and given by the teacher in charge of the school.

(3) The board shall collect from the parents or guardians of the pupils who take advantage of the instruction such sums of money as may be necessary to pay the salaries of the instructors, and all costs, charges, and expenses of such a course of instruction.

### **Patriotic Instruction**

**388.** (1) The board of a non-divisional district and of a division shall

- (a) erect and maintain on each of its school grounds a flag pole with all requisite attachments for raising and lowering a flag,
- (b) furnish for each school a flag that is not less than four feet long and not less than two feet wide, and
- (c) have the flag displayed from the flag pole upon all days that may be prescribed by regulation of the Department and, when not so displayed, have it hung upon the wall inside the school.

(2) When the board directs that the flag be saluted, this exercise shall be conducted in such manner as the board prescribes, subject to the provisions of subsection (3).

(3) A pupil whose parent or guardian presents to the principal a written statement setting forth that he or she is a member of a religious organization the tenets of which forbid or are opposed to its members saluting the flag shall not be required to participate in the saluting of the flag further than to come to attention and to remain standing silently and at attention while the salute is being given in the manner prescribed.

**389.** Other patriotic exercises may be conducted at such times and places and in such manner as the board directs.

## School Act

### Religious Instruction

**390.** (1) All schools shall be opened by the reading, without explanation or comment, of a passage of scripture to be selected from those prescribed or approved for that purpose by the Minister, followed by the recitation of the Lord's Prayer.

(2) Notwithstanding subsection (1), a board, by resolution, may dispense with the scripture reading or the recitation of the Lord's Prayer or both.

**391.** (1) No religious instruction shall be permitted in a school from the opening of the school until one-half hour previous to its closing in the afternoon, after which time any such instruction permitted or required by resolution of the board may be given.

(2) Notwithstanding subsection (1), in a high school providing departmentalized instruction religious instruction may be given to each class for a period not exceeding one-half hour per day, at such time or times as may be approved by the board and the inspector of high schools.

**392.** (1) In a divisional district, the powers vested in the board under sections 390 and 391 shall be exercised by the board of the district and not by the board of the division.

(2) If the board of a divisional district that passes a resolution under section 391 providing for religious instruction nominates a teacher and transmits the nomination to the board of the division not later than the first day of August, the board of the division shall appoint the teacher nominated by the board of the district to the school of that district if that teacher enters into a contract.

**393.** A child may leave the school room at the time at which religious instruction is commenced or may remain without taking part in the religious instruction given if the parents or guardians so desire.

**394.** (1) No teacher, school trustee, inspector or superintendent, shall attempt in any way to deprive a child who attends a school in which religious instruction is given and who does not take part in that instruction, of any advantage that he or she might derive from the ordinary education given in the school.

(2) Any such attempt on the part of any teacher, trustee, inspector or superintendent, shall be held to be a disqualification for and voidance of the position or office held by him.

### Kindergarten Classes

**395.** (1) A board may establish kindergarten classes in a school to teach and train children between the ages of four and

six years according to kindergarten methods and may make regulations concerning the operation of these classes.

(2) The board may charge a fee for kindergarten classes to defray the cost of maintaining the classes.

**396.** Where kindergarten classes are conducted in a school under the direction of a board, or in any other place under the direction of any other person or persons, no person shall be engaged or employed to teach and train the children in such classes unless he holds qualifications approved by the Minister.

### **Night Classes**

**397.** (1) The board of a non-divisional district or of a division may appoint a teacher and make the necessary arrangements at the expense of the district or division for the maintenance of a night school.

### **Compulsory Attendance**

**398.** (1) A child who has attained the full age of seven years and who has not yet attained the full age of fifteen years, unless excused for any of the reasons hereinafter mentioned, shall attend the school that he has the right to attend or that he is directed to attend, whenever it is in operation.

(2) If a child attains the full age of fifteen years at any time during the June term, he shall continue in attendance at school until the end of that term.

**399.** (1) When a child resides with or is under the care or in the legal custody of some person other than his parents, that person, during the continuance of the residence, care or custody, is subject to all the duties and liable to all the penalties imposed upon parents by this Part.

(2) Notwithstanding subsection (1), the natural parents of the child are not relieved of their duties under this Part.

### **Exemptions**

**400.** (1) A child is excused from attendance at school if

- (a) an inspector certifies in writing that the child is under efficient instruction at home or elsewhere,
- (b) the child is unable to attend by reason of sickness or other unavoidable cause,
- (c) the child is under eight years of age and the distance of his residence from the school as computed under the provisions of section 313, is more than two and one-half miles,

## School Act

- (d) there is not sufficient accommodation in the school,
- (e) the child has passed the grade nine examination of the Department or has completed a course that gives him an equivalent standing, or
- (f) the child is absent on a day regarded as a holy day by the church or religious denomination to which the child belongs.

(2) Clause (c) of subsection (1) does not apply to pupils for whom conveyance has been provided in accordance with the provisions of this Act.

**401.** (1) In a special case, if it appears to be in the interest of a child that he should be excused from attendance at school, the Chief Attendance Officer, after consultation with the child's parent or guardian and upon the written recommendation of the school principal, endorsed by the superintendent or inspector of schools, may excuse the child from attendance for such period as he may direct.

(2) The Chief Attendance Officer shall notify the board forthwith of any action taken pursuant to this section.

## Employment of School-Age Children

**402.** No person shall during school hours employ a child required to attend school under this Part while the school that the child has the right to attend or that he is directed to attend is in operation, unless the child has a valid exemption from attendance, and any such employment is subject to the provisions of *The Alberta Labour Act*.

## Offences and Penalties

**423.** (1) Any person who teaches without qualifications in violation of section 331 is guilty of an offence and liable on summary conviction to a fine not exceeding fifty dollars.

(2) Any board that knowingly employs as a teacher an unqualified person in violation of section 331 is guilty of an offence and liable on summary conviction to a fine not exceeding fifty dollars.

(3) No prosecution shall be instituted under subsection (2) without the consent of the Minister.

**425.** (1) A trustee who knowingly signs a false report, or a teacher who keeps a school register falsely, in violation of the regulations of the Department, or knowingly makes a false return, is guilty of an offence and liable on summary conviction to a fine not exceeding twenty-five dollars.

(2) A person who subscribes to a statement, declaration, return or other document required by this Act and therein wilfully and

knowingly makes a false statement, is guilty of an offence and liable on summary conviction to a fine of not more than twenty-five dollars.

**429.** A person who is required by this Act or the regulations made hereunder to furnish any information, to make a return or statement in writing, or to perform any act or duty, and who refuses or neglects to do so is guilty of an offence and liable on summary conviction to a fine of not more than fifty dollars.

**431.** A person who wilfully disturbs, interrupts or disquiets the proceedings of a school meeting authorized by this Act, or who wilfully disturbs, interrupts or disquiets a school established and conducted under its authority, by rude or indecent behaviour or by making a noise either within the place where the school is conducted or adjacent thereto, is guilty of an offence and liable on summary conviction to a fine of not more than twenty dollars.

#### **Canvassing on School Premises Prohibited**

**432.** (1) No person shall canvass on school premises or offer to sell goods or merchandise to a teacher on school premises.

(2) A person who contravenes the provisions of this section is guilty of an offence and liable upon summary conviction to a fine of not more than twenty-five dollars.

#### **Production of Birth Certificate**

**450.** The parent or guardian of a pupil shall produce the birth certificate of the pupil at the request of the teacher.

**451.** A child may continue to attend school for the purpose of receiving instruction in the subjects approved by the Department until he has attained the age of twenty-one years, and a child so continuing to attend school is a pupil for all the purposes of this Act.

#### **Status of Women and Men**

**452.** Notwithstanding anything herein contained, women are upon an absolute equality with and have the same rights and privileges, and are subject to the same penalties and disabilities as men, under this Act.

# Revised General Regulations of the Department of Education

## FOR THE OPERATION OF SCHOOLS (ORDER IN COUNCIL No. 1724/52)

**1.** These regulations shall apply to all schools under the control and management of the Department of Education, including private schools.

### School Grounds

**2.** In all school districts other than town and city districts the site for the school house shall be one approved or selected by the Minister. As far as possible it should meet the following conditions:

- (a) it should be located as near as possible to the centre of the district or area that it is intended to serve;
- (b) it should be easily accessible to all the children of the district or the area that it is intended to serve;
- (c) it should be in a dry, elevated position, admitting of easy drainage;
- (d) it should be removed from stagnant water and noisy surroundings.

Subject to the provisions of *The School Act* in that behalf the board of any town or city school district may select such site or sites as in its judgment may seem desirable.

**3.** The school grounds in all school districts should comprise an area of at least three acres. In all cases the site shall be level and be kept clear of underbrush, weeds, and rubbish. Under circumstances where it is considered advisable to enclose school grounds, a fence meeting the requirements of *The Domestic Animals Act* shall be provided. For multiple-room schools the site should comprise an area of not less than three acres, and more if deemed necessary by the Department in view of the size of the school to be erected thereon.

**4.** Wherever possible sanitary inside toilets should be made available. Where such accommodation cannot be provided, separate privies, under different roofs, erected according to a plan approved by the Department, shall be provided for boys and girls. They should be widely separated and each entrance effectually screened from observation.



5. (a) in areas where pure running water cannot be piped to the school building, if there is any likelihood of getting good water at a reasonable cost a well should be sunk on the premises. The construction, equipment, and maintenance of the well should meet the requirements contained in the regulations made in that behalf by the Department of Health which provide in part that the water shall be obtained from a tightly cribbed well, sealed in such manner as to prevent surface water gaining entrance to it and equipped with pumping facilities secured at the base so as to be watertight, and in no case shall a rope-and-bucket system be used in raising water from the well.
  - (b) In all districts where water cannot be obtained by sinking a well the board shall provide a sufficient supply of wholesome water for drinking and ablution purposes.
  - (c) If drinking fountains cannot be provided, the drinking water shall be kept in a suitable, covered container, equipped with a tap at the base, which shall be kept in a clean and sanitary condition. Individual drinking cups shall be used.
6. (a) All school houses must be built in accordance with *The School Act* and the requirements of the Department of Education.
  - (b) In building schools or making additions to, or alterations of a structural nature in school buildings, every board, with the exception of a city district complying with the provisions of Section 226 of *The School Act*, is required to secure from the Minister his approval of the plan of the building or the changes contemplated.

### Minimum School Furnishing and Equipment

7. Every school shall be furnished with a sufficient number of comfortable seats and desks, or tables and chairs, to accommodate the pupils; a suitable bookcase or cases to accommodate a library; such maps and globes as shall be prescribed by the Department or are acceptable to it; at least one hundred square feet of blackboard space; sufficient tackboard for posting notices and instructional material; and such other furniture and equipment as the Department may direct through the recommendation of an inspector of schools. There should also be provided, where possible, suitable and adequate playground equipment.

### Use of School House and Grounds

8. (a) Subject to the provisions of *The School Act*, a school house and grounds may, outside of the hours during which school

## Regulations

is in session, be used for any lawful purpose—social, educational, or religious—with the consent or approval of the divisional board, or in the case of a non-divisional district the district board, but no advertisements other than the statutory notices and notices of public meetings shall be posted on the school premises or distributed to the pupils unless approved by the board;

Provided, however, that in the case of a divisional school district the divisional board may delegate the control of property in the school district to the local board of the district.

- (b) When the school premises are used for other than school purposes the board in which the premises are vested may make such charge, if any, as it deems proper under the circumstances.

## Conduct of Schools

**9.** The board of a school division or non-divisional school district may direct that school be opened at 9:30 a.m. during the whole or portions of the months of November, December, January, and February; and the board of any division or rural district not in a division may direct that only one hour's intermission be taken at noon, in which case the school shall be closed at 3.30 p.m.

- 10.** (a) The board of any division or non-divisional district may direct that the time spent in the classroom by the pupils of Grades I and II shall not exceed four hours per day.

- (b) Instruction in grades above the eighth may be given in one-room schools if the enrollment and the number of grades represented will permit. The superintendent shall be responsible for determining when such work may be offered and for authorizing it.

- 11.** (a) Boards of divisions and non-divisional districts are authorized to include in their regulations a daily minimum attendance for each school. In the event of fewer than the minimum number of pupils being present on any day the principal (or in schools of one room, the teacher) may dismiss the school, taking reasonable precautions for the safe return home of the children.

- (b) In the event of a board not having issued regulations pursuant to subsection (a) above and in the absence of instructions from the board or the superintendent, the prin-

principal (or in schools of one room, the teacher) shall determine whether or not the school shall continue in operation when the attendance has been seriously reduced.

- 12.** (a) In one-room schools the teacher, and in multiple-room schools the principal shall be responsible for the classification of pupils and promotions other than those based upon departmental examinations, all subject to the approval of the superintendent, or the inspector of schools.
- (b) An appeal with respect to all matters of promotion or classification may be made to the Chief Superintendent of Schools, whose decision shall be final.
- 13.** (a) It shall be the duty of the teacher to arrive at school a reasonable period of time before school opening for the morning session and the afternoon session; and, following the afternoon session, to remain on the premises as long as pupils under his charge are present or until he is relieved by a responsible person.
- (b) The teacher, or, in the case of a multi-room school, the principal and staff, shall be responsible for the organization of suitable extra-curricular activities and for the direction and supervision of the classroom and playground activities of the pupils throughout the school day, and all pupils shall be accountable to such teacher or principal for their conduct on the school premises, and also for their behaviour on the way to and from school unless accompanied by one of their parents or guardians, or some responsible person appointed by them.
- (c) (i) In a one-room school the pupils shall be responsible to the teacher during the noon intermission, and the teacher shall supervise the pupils or make reasonable provision by way of organization of the pupils to provide for the maintenance of discipline.
- (ii) In a school having more than one teacher the board shall be responsible for arranging with the principal and staff for such supervision of pupils as may be considered necessary, upon such terms as may be agreeable to both parties.
- (d) Pupils riding in a school van shall be under the immediate authority of the driver who shall report all cases of pupil-misconduct to the principal of the school. The driver may exercise such disciplinary power as may be provided through regulations of the board.

## Regulations

- (e) Every pupil accommodated in a dormitory shall be required to comply with the regulations made by the school board operating the dormitory and shall be under the authority of the dormitory supervisor when not accountable to the school principal.
- (f) The teacher shall exercise constant care to protect the health of all pupils under his charge. He shall regularly use any devices made available to him for detecting defects of sight or hearing among his pupils and shall report to the Department through the inspector of schools or the superintendent, any child whose vision or hearing is considered so badly impaired as to make training in a special school desirable.

**14.** Every pupil registered in any school shall be required: to attend regularly and punctually and in case of absence or tardiness to give to the teacher, either orally or in writing, as the latter may require, a reasonable excuse therefor; to obtain the authorized textbooks and other school requisites unless these are supplied by the board or by the government; to be clean and tidy in person and clothes; to be diligent in studies, kind and courteous to classmates, and obedient and respectful to the teacher; and to conform to the rules of the school.

**15.** The board of trustees may require the parent or guardian of any pupil to replace or pay for any school property destroyed, broken, or damaged by a pupil, and may suspend the pupil until the loss or damage is repaired or paid for.

## Courses of Study

**16.** The Department of Education prescribes courses of study for the use of teachers, and these shall form the basis for the classification of pupils. Any modification of these courses to meet special conditions must have the approval of the Minister.

The textbooks used by the pupils in any school shall be those authorized or recommended by the Minister of Education. No teacher shall require his pupils to purchase any book, pamphlet or helps not so authorized or recommended.

## School Libraries

- 17.** (a) The school library shall contain only those books and pamphlets that appear in the authorized lists of the Department of Education or those which are acceptable to it.
- (b) A complete record of the books belonging to the school library, and also a record of every book lent, shall be kept in the school.

- (c) In all schools other than those in which a librarian has been appointed, the principal (or teacher) of the school shall be librarian and shall be responsible for the cataloging and lending of the books contained in the library.
- (d) Each book received into the library shall be distinctly marked on the inside of the front cover with the name and number of the school division or school district, the number of the book, and the date when received. In addition thereto there may be attached to the outside of the book a label showing the stock or accession number.
- (e) At the close of each school term and at any other time which may be prescribed by the board all books belonging to a library shall be called in and the proper entries regarding their return made in the library record book.
- (f) It shall be the duty of the teacher of every school and the secretary of every school division and non-divisional district to make such returns regarding the school library as may be required from time to time by the Department.

### Inspection of Schools

**18.** The inspector, or in the case of a school division, the superintendent, on the occasion of an official visit, shall have supreme authority in the school, and he shall conduct his inspection of the school and the examination of the books and records of the district in accordance with the instructions of the Department.

**19.** If deemed necessary for the purpose of inspection, the inspector may extend the regular school hours.

### School Staff Meetings

**20.** In every school in which more than two teachers are employed it shall be the duty of the principal to convene, at least once a month, a meeting of his assistants for the purpose of conferring on matters pertaining to the organization, management, and discipline of the school, and the improvement of instruction. It shall be the duty of the assistant teachers to attend such meetings and in case of their neglect or failure to do so the principal shall report the matter to the board.

### Teachers' Conventions

**21.** Upon receiving the approval of the Minister the officers of any teachers' association may arrange for a convention or institute to be held on school days, the object of which shall be to promote the teaching efficiency of its members.

## Regulations

**22.** The inspector of schools or divisional superintendent shall be, ex officio, a member of the program committee of every convention or institute held from time to time by teachers' associations of his inspectorate or division and shall be consulted by the committee with respect to the program for such convention or institute.

**23.** Every such convention shall be subject to the following regulations:

- (i) The convention shall be held on such days as are approved by the Minister of Education.
- (ii) The officials of each association shall transmit to the Minister, at least ten days before the dates approved for the meeting, a copy of the program proposed for the meeting of the association.
- (iii) The secretary of the association shall give due notice of the convention to each teacher entitled to attend.
- (iv) Each teacher attending the convention shall, on the opening day, enroll with the secretary, who shall issue a certificate of attendance on the form prescribed by the Department. Alternatively, certification for teachers' attendance at institutes may be forwarded to the Department by the superintendent.

**24.** Every teacher who desires to attend any teachers' convention or institute held under these regulations in the inspectoral division in which his school is located shall have the right to do so. Should the certificate of attendance or statement of the superintendent received by the Department show that a teacher has been present at any such convention, such teacher shall be entitled to salary and the board of his school district or division shall be entitled to grant as though the school were in operation during the time the teacher is necessarily absent from his school in order to attend such convention.

## School Festivals

**25.** Subject to the approval of the Minister of Education, any number of school districts may be associated for the purpose of holding an annual school fair, musical festival, or track and field meet. Every teacher whose school is in such association and whose pupils attend and take part shall be entitled to salary.

## Motion Picture Films and Film Strips

**26.** Motion Picture films and film strips that receive the approval of the Department of Education may be screened in schools during school hours.



# The County Act

(CHAPTER 64, R.S.A., 1955)

3. (1) The Lieutenant Governor in Council may proceed under Section 4 to form a county in any area only after receiving a resolution requesting him to do so from the council of a municipality or from the board of a school division that comprises the major part in extent of the said area.

4. (1) The Lieutenant Governor in Council from time to time by order may establish in any area a local government unit to be known as "The County of \_\_\_\_\_ No. \_\_\_\_\_", may fix its boundaries and by the order establishing the county may,

- (a) incorporate into any county the whole or any part of any existing municipality or school division that is within the boundaries of the county,
- (a1) incorporate into any county for school administrative purposes only one or more school districts situate wholly or partly outside the boundaries of the county,
- (b) alter the area of any municipality or school division for the purpose of providing a common boundary for the county and any municipality or school division included in the county,
- (c) fix the number of councillors to be elected to the county council, which number shall be an odd number not in excess of eleven, and
- (d) establish electoral divisions within the county and define their areas.

9. At all elections of members of the county council the method of election, the eligibility of persons to vote, the preparation of the list of electors, and all other matters connected with the election shall be governed by the provisions of *The Municipal District Act* in so far as they are applicable.

11. The county council at its first meeting in each year shall elect a chairman from among its number.

12. The chairman shall be the chief executive officer of the county and all the rights, duties, privileges and powers of the reeve of a municipality and the chairman of the board of trustees of a school division shall be vested in him.

## County Act

**13.** Except as otherwise provided by this Act, the county council has and shall exercise all the rights, powers, privileges, duties and functions conferred on

- (a) a council by *The Municipal District Act* in respect of municipal matters, and
- (b) a board of trustees of a school division by *The School Act* in respect of school matters.

**15.** (1) A county council, at its first meeting in each year, shall appoint not less than three members of the council, one of whom shall be designated as the committee chairman, to each of the following committees,

- (a) the municipal committee,
- (c) if a municipal hospital district lies wholly or partly within the county, the hospital committee.

(2) A county council may appoint such other committees as are deemed necessary.

**16.** (1) At its first meeting in each year a county council shall appoint a school committee which shall consist of

- (a) not less than three members of the council, and
- (b) the representatives, if any, elected pursuant to sections 17 and 17a.

(2) The school committee at its first meeting in each year shall elect a chairman from among its number.

(3) A person who is an elector of a separate school district is not eligible to be elected or appointed and shall not be appointed to the school committee unless the separate school district is included in the county for school purposes by way of agreement pursuant to *The School Act*.

**19.** (1) At all times, elected members of the county council shall form a majority of any committee.

(2) On the school committee each member appointed pursuant to sections 17 and 17a has the same rights, privileges and powers and shall receive the same remuneration and expenses for attendance at meetings of the committee as the other members of the committee.

**20.** (1) The municipal and school committees have and shall exercise on behalf of the county council all the duties and powers that are conferred upon or exercised by a council or a board under *The Municipal District Act* or *The School Act*, except the powers

- (a) to borrow money,

- (b) to pass a by-law,
- (c) to do such other things as may by by-law be reserved from time to time to the county council, and
- (d) to do such other things as may be specified from time to time by the Lieutenant Governor in Council.

(2) Each committee may exercise or perform its powers and duties in like manner and with the same effect as if the powers were exercised or the duties were performed by the county council.

(3) Subject to the limitations and reservations mentioned in subsection (1), the chairman of each committee may exercise or perform the rights, duties, privileges and powers of the reeve of a municipality, or the chairman of the board of trustees of a school division, as the case may be, in like manner and with the same effect as if the same were exercised or performed by the chairman of the county council.

**21.** (1) The municipal and school committees shall submit separate estimates to the county council in each year.

(2) The county council shall consider and review the estimates and may reduce or increase the estimates of any committee or may return the estimates to the committee for revision.

(3) The county council shall finally adopt the budget for the county.

(4) The portion of the budget of the county approved for each committee shall be administered and expended under the jurisdiction of that committee.

**22.** (1) A person appointed a member of the school committee shall exercise the rights, privileges and powers of a member of the county council when the business before the council is the annual estimates of the school committee.

(2) Where a person appointed to the school committee in accordance with section 17 or 17a is appointed chairman of that committee, he shall exercise the rights, privileges and powers of a member of the county council when the business before the council lies within the school committee portion of the budget of the county or concerns a matter governed by *The School Act*.

**28.** The divisional superintendent of schools appointed under *The School Act*, may attend all meetings of the county council in the exercise of the duties imposed upon a superintendent by section 199 of *The School Act*.

# The Alberta Labour Act

(CHAPTER 167, R.S.A., 1955)

The following excerpts from *The Alberta Labour Act* are of special interest to teachers. The published statutes of the Province of Alberta are the only official and completely dependable statement of matters pertaining to Labour Law. Every local should have a copy of *The Alberta Labour Act*. Amendments to 1960 are included.

## Interpretation

### 2. In this Act,

- (b) "Board" means the Board of Industrial Relations constituted under the provisions of this Act;
- (g) "employee" means a person engaged in an industry who is in receipt of or entitled to wages for labour or services performed wherever the labour or services are performed;
- (h) "employer" means a person, corporation, partnership, firm, manager, representative, contractor or subcontractor having control and direction of or being responsible, directly or indirectly, for the employment of and the payment of wages to an employee;

## Labour Relations

### 55. (1) In this Part,

- (a) "bargain collectively" means to negotiate in good faith with a view to the conclusion of a collective agreement or of the revision or renewal of an existing collective agreement, and "collective bargaining" has a similar meaning;
- (b) "bargaining agent" means a trade union that acts on behalf of employees in collective bargaining, or as a party to a collective agreement with their employer;
- (c) "collective agreement" means an agreement in writing
  - (i) between an employer or an employers' organization acting on behalf of an employer on the one hand, and a bargaining agent of his employees on behalf of the employees on the other hand, and
  - (ii) containing provisions with reference to rates of pay, hours of work, or other terms or conditions of employment of the employees and signed by the parties thereto;

- (d) "conciliation commissioner" means a conciliation commissioner appointed under the provisions of this Part;
- (e) "dispute" means a dispute or difference between an employer on the one hand and a majority of his employees, or a majority of a unit or classification of his employees, on the other hand, with regard to matters or things affecting or relating to work done or to be done by him or them, or with regard to their privileges, rights and duties as employers or employees, and in particular and without limiting the generality of the foregoing, with regard to all matters relating to
  - (i) the wages, allowance or other remuneration of employees or the price paid or to be paid in respect of employment;
- (f) "employee" does not include
  - (i) a manager or superintendent or any other person who, in the opinion of the Board, exercises managerial functions or is employed in a confidential capacity in matters relating to labour relations, or
  - (ii) a member of the medical, dental, architectural, engineering or legal profession qualified to practise under the laws of the Province and employed in that capacity;
- (g) "employers' organization" means an organization of employers formed for the purpose of regulating relations between employers and employees;
- (h) "lock-out" includes
  - (i) the closing of a place of employment,
  - (ii) the suspension of work, or
  - (iii) a refusal by an employer to continue to employ a number of his employees,done with a view to compelling his employees, or to aid another employer in compelling his employees, to accept terms or conditions of employment;
- (i) "strike" includes
  - (i) the cessation of work by a body of employees acting in combination, or
  - (ii) the concerted refusal or the refusal under a common understanding of a number of employees to work for an employer,

## Labour Act

for the purpose of compelling their employer, or to aid other employees in compelling their employer, to accept terms or conditions of employment;

(j) "trade union"

(i) means an organization of employees formed for the purpose of regulating relations between employers and employees which has a written constitution, rules or by-laws setting forth its objects and purposes and defining the conditions under which persons may be admitted as members thereof and continue in such membership, but

(ii) does not include an employer-dominated organization;

## Collective Bargaining

**57.** It is lawful for employees to bargain collectively with their employer and to conduct such bargaining through a bargaining agent.

**72.** (1) The bargaining agent representing the employees or the unit or classification of employees and duly certified in accordance with the provisions of section 63 may serve upon the employers a notice of a meeting to be held for the purpose of collective bargaining.

(2) The employer or an employer's organization representing the employer may by notice require the bargaining agent to commence collective bargaining.

(3) Either party to a collective agreement, whether entered into before or after the coming into force of this Act, may not less than thirty days and not more than sixty days immediately preceding the date of expiry of the agreement require, by notice, the other party to the agreement to commence collective bargaining.

(4) A notice to commence collective bargaining shall be served at least five clear days, exclusive of Saturdays or Sundays or other holidays, before the time fixed in the notice for the meeting and the employer, employers' organization, trade union, certified bargaining agent or his or their duly accredited representatives shall attend the meeting for the purpose of collective bargaining.

**73.** (1) Where a collective agreement entered into before or after the commencement of this section provides for its operation for a term of less than one year or for an unspecified term, it shall be deemed to provide for its operation for a term of one year from the date it began to operate.



(2) Notwithstanding subsection (1) the parties may, before or after a collective agreement has ceased to operate, agree to continue its operation or any of its provisions, with or without modifications, for any period less than one year or for an unspecified period while they are bargaining for the renewal or for a new collective agreement, but such continued operation does not constitute a bar to an application for certification as bargaining agent.

(3) Where notice to commence collective bargaining has been served by either party to a collective agreement and the collective agreement contains provision for the continuation of the agreement beyond the first fixed date for the termination of the agreement, such a continuation does not constitute a bar to an application for certification as bargaining agent.

(4) Where a collective agreement is for a term longer than one year, the agreement shall contain or be deemed to contain a provision for the termination of the agreement

- (a) after the first year by common consent of the parties to the agreement, and
- (b) at the end of the final year of the term of the agreement by not less than thirty days' and not more than sixty days' notice by either party to the agreement to the other party before the end of the final year of the term of the agreement.

(5) Every collective agreement entered into after the thirty-first day of March, 1947, shall contain a provision for final settlement without stoppage of work or refusal to perform work of all differences between the parties to or persons bound by the agreement or on whose behalf it was entered into concerning its interpretation, application, operation or any alleged violation thereof.

(6) If a collective agreement entered into before or after the commencement of this section does not contain such a provision as is required in subsection (5), it shall be deemed to contain the following terms:

- (a) If any differences concerning the interpretation, application, operation, or any alleged violation of this agreement arise between the employer and his employees, the representatives of the employer and of the union shall meet and endeavour to resolve the difference,
- (b) If the parties fail to reach an agreement under the above step, either party may by written notice to the other party, stating the nature of the difference, require the establishment of a grievance board. Such written notice must be

## Labour Act

served within ten days following the completion of the preceding step.

Each party shall appoint one member as its representative on the grievance board within seven days of such notice. The two members so appointed shall endeavour to select an independent chairman.

If the two members fail to select a chairman within five days after the day on which the last of the two members is appointed, they shall request the Minister of the Department of Labour to select a chairman.

The grievance board may not change, modify or alter any of the terms of this Agreement. All differences submitted shall present an arbitrable issue under this agreement, and shall not depend on or involve an issue or contention by either party that is contrary to any provision of this agreement or that involves the determination of a subject matter not covered by, or arising during the term of this agreement.

The grievance board shall give its decision not later than fourteen days after the appointment of the chairman except that with the consent of both parties such limitation of time may be extended. The findings and decision of a majority of the members of a grievance board on all arbitrable questions shall be the findings and decision of the grievance board and shall be binding on all parties.

Each party to the difference shall bear the expenses of its respective nominee to the grievance board and the two parties shall bear equally the expenses of the chairman.

(7) A collective agreement entered into by a bargaining agent insofar as its provisions do not conflict with any provisions of this Act is binding upon

(a) the bargaining agent and every employee in the unit of employees on whose behalf the agreement has been entered into, and

(b) the employer who has entered into the agreement or on whose behalf the agreement has been entered into.

(8) No employee shall be required to sign a collective labour agreement that has been entered into on his behalf and executed by a bargaining agent.

(9) A person, trade union, bargaining agent or employer who refuses or neglects to do anything required by this section to be done by him is guilty of an offence and liable on summary conviction

- (a) in the case of an individual, to a fine of not more than one hundred dollars, or
- (b) in the case of a corporation, trade union or bargaining agent, to a fine of not more than five hundred dollars, and in default of payment to imprisonment for a term of not more than sixty days.

### Unfair Labour Practices

**76.** (1) No employer or employers' organization, and no person acting on behalf of an employer or employers' organization, shall participate in or interfere with the formation or administration of a trade union, or contribute financial or other support to it.

(2) Notwithstanding subsection (1), an employer

- (a) may make to a trade union donations to be used solely for the welfare of the members of the trade union and their dependants, and
- (b) may permit an employee or representative of a trade union to confer with him during working hours, or to attend to the business of the trade union during working hours, without deduction in the computation of time worked by the employee of the time so occupied and without deduction of wages in respect of the time so occupied.

**77.** (1) No employer shall interfere with, restrain or coerce any employee in the exercise of any right conferred by this Part.

(2) No employer shall

- (a) insert any clause in any written contract of employment,
- (b) impose any condition in any verbal contract of employment, or
- (c) continue such clause or condition heretofore in effect where such clause or condition seeks to restrain any employee from exercising his rights under this Part.

(3) A clause or condition in conflict with the provisions of this section is of no effect.

### Conciliation Commissioner

**82.** (1) If during negotiations for a collective agreement or revision or renewal of an existing agreement the parties fail to agree on the terms thereof, either of the parties may refer the dispute to the Minister and make application for the appointment of a conciliation commissioner.

## **Labour Act**

(2) On application made pursuant to subsection (1), the Minister may if he is satisfied that the dispute is a proper one for reference to a conciliation commissioner appoint a conciliation commissioner, and at the same time or subsequently refer to him any other dispute of a similar kind between any other employer and his employees.

(3) The decision of the Minister on the application for the appointment of a conciliation commissioner shall be made within three days, exclusive of Saturdays and Sundays or other holidays, after the receipt of the application.

(4) Upon the appointment of a conciliation commissioner the Minister

(a) shall forthwith give notice of the appointment to the representatives of all parties to the dispute, and

(b) shall from time to time give notice of the appointment to the representatives of all other parties who become interested by reason of any dispute of a similar kind being referred to the same conciliation commissioner.

(5) When a dispute exists or is apprehended, the Minister on his own initiative may appoint a conciliation commissioner if he thinks it expedient to do so, and may at the same time or subsequently refer to the conciliation commissioner any other dispute of a similar kind between any other employer and his employees.

**84.** The conciliation commissioner within the time, not exceeding fourteen days, exclusive of Saturdays and Sundays or other holidays, limited by the terms of his appointment or within such longer time as may be agreed to by all parties shall transmit a report to the Board setting out

(a) the matters upon which the parties have agreed,

(b) the matters upon which the parties cannot agree and his recommendations submitted to the parties with respect thereto, and

(c) if the parties cannot agree, his recommendation as to the advisability of appointing a conciliation board.

**85.** Upon receipt of the report from the Board, the Minister shall forthwith transmit a copy of the report to the representative of each party to the dispute, and may publish the report in such manner as he sees fit.

## **Conciliation Board**

**86.** (1) Where a conciliation commissioner is unable to bring about any settlement or adjustment of the dispute the Board shall consider his report and may recommend to the Minister the appointment of a conciliation board.

(2) If in the opinion of the Minister a further endeavour should be made to bring about agreement between the parties to the dispute the Minister may appoint a conciliation board consisting of three members.

**87. (1) The Minister shall forthwith**

- (a) serve notice on the representative of the employer requiring the employer within the time limited by the notice, which time shall not exceed seven days, exclusive of Saturdays and Sundays or other holidays, to appoint a person to act as a member of the conciliation board on behalf of the employer, and
- (b) serve notice on the representative of the employees requiring the employees within the time limited by the notice, which time shall not exceed seven days, exclusive of Saturdays and Sundays or other holidays, to appoint a person to act as a member of the conciliation board on behalf of the employees.

(2) The two persons so appointed as members shall appoint a person to act as a third member, and the third member shall be chairman of the conciliation board.

(3) Where any of the parties to a dispute is an organization having a president and secretary notification shall be made to and service shall be made upon the president and secretary, and in every case the Minister has power to determine the persons to be notified and served as representatives for the purposes of this Part, and the determination of the Minister is final.

(4) The Minister shall appoint a person to act as a member of the conciliation board on behalf of

- (a) the employer, if the employer fails to appoint a member within the time limited by the notice, and
- (b) the employees, if the employees fail to appoint a member within the time limited by the notice.

(5) If the two members fail to appoint a third member within five days, exclusive of Saturdays and Sundays or other holidays, after the day on which the last of the two members is appointed, the Lieutenant Governor in Council shall appoint a third member who shall be chairman of the conciliation board.

**88. (1) As soon as the three members are determined the Lieutenant Governor in Council shall designate them a conciliation board for the purposes of this Part, and the Minister shall deliver to them a statement of the dispute to be inquired into by them.**

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- (2) No person shall be appointed or shall act as a member of a conciliation board if
- (a) he is not a Canadian citizen or British subject,
  - (b) he has not resided in the Province for one year immediately preceding the date of his appointment to the board,
  - (c) he has any pecuniary interest in the issue or dispute referred to the board,
  - (d) he is the solicitor or counsel of either of the parties to the dispute or if he has acted as such at any time within the six months immediately preceding the date of the notice served by the Minister pursuant to section 87, or
  - (e) he has received remuneration directly from either of the parties to the dispute at any time within six months immediately preceding the date of the notice served by the Minister pursuant to section 87.
- (3) An appointment to fill a vacancy in the membership of a conciliation board shall be made in the same manner as the original appointment of the member whose ceasing to act caused the vacancy.
- (4) Before entering upon the exercise of the functions of their office the members of a conciliation board shall
- (a) in writing make oath or affirmation before a justice of the peace or other person authorized to administer an oath or affirmation
    - (i) that they will faithfully and impartially perform the duties of their office, and
    - (ii) that, except in the discharge of their duties, they will not disclose to any person any of the evidence or other matter brought before the conciliation board, and
  - (b) file the oath or affirmation forthwith with the Minister.
- (5) Subject to the provisions of *The Public Service Act* the Minister may provide the conciliation board with a secretary, stenographer and such other clerical assistance as to the Minister appears necessary for the efficient carrying out of the provisions of this Part.
- (6) As soon as possible after the conciliation board is designated it shall after serving sufficient notice on all parties proceed to make full inquiry and shall endeavour to bring about agreement between the parties in relation to the matters referred to it.



(7) If in the opinion of the Minister the conciliation board or any member of the conciliation board after accepting office is unduly or unnecessarily deferring or delaying the proceedings for the hearing and determination of the dispute, the Minister

(a) may remove the conciliation board or any member of the conciliation board from office, and

(b) may serve notice

(i) on the employer or his representative,

(ii) on the representative of the employees,

(iii) on the representatives of both, or

(iv) on the remaining members of the conciliation board, if any,

requiring within the time limited by the notice and in the manner directed by the notice the appointment of a person or persons to act as members on the conciliation board in substitution for the member or members removed.

**89.** (1) The conciliation board has power to determine its own procedure but shall give full opportunity to all parties to present evidence and to be heard.

(2) The conciliation board by a summons under the hands of its members or under the hand of any one of them

(a) may require the attendance of any person as a witness before them at a place and time to be mentioned in the summons, which time shall be a reasonable time from the date of the summons, and

(b) may require any person to bring and produce before it all documents, writings, books, deeds and papers in his possession, custody, or power touching or in any way relating to or concerning the dispute.

(3) Every person named in and served with any such summons shall attend before the conciliation board and answer upon oath, unless the conciliation board otherwise directs, all questions relating to the dispute, and produce all documents, writings, books, deeds and papers as aforesaid according to the tenor of the summons.

(4) If any person

(a) on whom any summons has been served by the delivery thereof to him or by the leaving thereof at his usual place of abode, fails to appear before the conciliation board at the time and place specified by the summons,

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(b) having appeared before the conciliation board refuses

(i) to be sworn or to make answer to such questions as are put to him by the conciliation board, or

(ii) to produce and show to the conciliation board all documents, writings, books, deeds and papers in his possession, custody or power touching or in any way relating to or concerning the dispute, or

(c) is guilty of any contempt of the conciliation board, the conciliation board has the same powers to be exercised in the same way, as any judge of the Supreme Court in the like behalf, and all gaolers, sheriffs, constables, bailiffs and all other police officers shall give their aid and assistance to the conciliation board in the execution of its office.

(5) For the purpose of inquiry the conciliation board has the power of administering oaths and any member of the conciliation board may administer an oath.

(6) The conciliation board may accept, admit and call for such evidence as in equity and good conscience it thinks fit, whether strictly legal evidence or not.

**90.** (1) The conciliation board or any member thereof, and on being authorized in writing by the conciliation board any other person, may without any other warrant than this Act at any time

(a) enter any building, mine, mine-workings, ship, vessel, factory, workshop, place or premises of any kind wherein or in respect of which

(i) any industry is carried on,

(ii) any work is being or has been done or commenced, or

(iii) any matter or thing is taking place or has taken place, that has been made the subject of a reference to the conciliation board,

(b) inspect and view any work, material, machinery, appliance or article therein, and

(c) interrogate any persons in or upon any such building, mine, mine-workings, ship, vessel, factory, workshop, place or premises as aforesaid in respect of or in relation to any matter or thing hereinbefore mentioned.

(2) Any person

(a) who hinders or obstructs the conciliation board or any such person authorized as aforesaid in the exercise of any power conferred by this section, or

(b) refuses to answer any interrogation made as aforesaid, is guilty of an offence and liable on summary conviction to a fine not exceeding one hundred dollars.

**91.** (1) A party to a reference may be represented before the conciliation board by not more than three persons designated by the party for that purpose.

(2) A party appearing by a representative is bound by the acts of his representative.

(3) If without good cause shown any party to proceedings before the conciliation board fails to attend or to be represented, the conciliation board may proceed as if the party had duly attended or had been represented.

**92.** (1) The sittings of the conciliation board shall be held

(a) at such time and place as are fixed from time to time by the chairman after consultation with the other members of the conciliation board, and the parties shall be notified by the chairman of the time and place at which sittings are to be held, and

(b) so far as practicable in the locality within which the dispute arose.

(2) and (3) Repealed 1957, c. 38, s. 32.

(4) The decision, findings and recommendations of a majority of the members of the conciliation board shall be the decision, findings and recommendations of the conciliation board.

**93.** (1) After making full inquiry and without undue delay, and in any event not more than fourteen days, exclusive of Saturdays and Sundays or other holidays, after the date the statement of the dispute is mailed to the conciliation board, pursuant to section 88, the conciliation board

(a) shall make its award, and in its award shall so far as practicable deal with each item of the dispute, and

(b) shall state in plain terms, and avoiding as far as possible all technicalities, what in the opinion of the conciliation board ought or ought not to be done by the respective parties concerned.

(2) With the unanimous consent of all parties the time within which the conciliation board shall make its award may be extended for such time as is agreed to by the parties.

(3) The award may be retroactive

(a) to the date of the appointment of a conciliation commissioner, or

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- (b) to such earlier or later date as may be fixed in the award of the conciliation board,

as the case may be.

(4) The award of the conciliation board shall be signed by such of the members as concur therein and shall be transmitted by the chairman to the Minister as soon as practicable after the submission of the dispute to the conciliation board.

(5) Where any question arises as to the meaning or application of or with regard to anything relating to or connected with the award, the Minister may if he deems it expedient request from the chairman of the conciliation board an expression of the opinion of the conciliation board upon the question, and the chairman shall upon receipt of the request reconvene the conciliation board and the conciliation board shall as soon as practicable report to the Minister its opinion upon the question.

(6) Upon receipt of the award of the conciliation board the Minister shall forthwith cause a copy thereof to be sent to each party to the dispute, and the Minister may publish the award in such manner as he thinks fit.

(7) The parties may, subject to subsections (8), (9) and (10), accept or reject the award.

(8) The employees directly affected by the award may accept or reject the award by a majority vote of the employees voting by secret ballot on such date as may be appointed by the Minister.

(9) The employer shall notify the Minister in writing on or before the date fixed by the Minister under subsection (8) of his acceptance or rejection of the award.

(10) The Board of Industrial Relations may supervise the taking of a vote under subsection (8) in the manner provided for in section 69.

(11) Where the award of the conciliation board has been accepted by the employees and the employer under the provisions of subsections (8), (9) and (10), the award is binding on the parties and they shall give effect to it and include the terms of the award in a collective agreement.

(12) Notwithstanding subsections (8), (9) and (10), if the parties to the dispute notify the Minister in writing before the conciliation board makes its award or before the date appointed by the Minister for the taking of a vote that they will accept the award of the conciliation board, then the award of the conciliation board is binding on the parties and they shall give effect to it

without submitting it to a vote and shall include the terms of the award in a collective agreement.

(13) No court shall have power or jurisdiction to enforce any award under this Part unless both parties to the dispute have accepted the award pursuant to the provisions of this section.

**Prohibition of Strikes and Lock-outs**

**94. (1) Where a dispute exists**

- (a) no employer who is a party to the dispute shall cause a lock-out,
- (b) no employees who are parties to the dispute shall go on strike,
- (c) subject to subsection (7) of section 73, none of the parties shall alter any of the conditions of employment except that the employer, with the consent of the bargaining agent, may give effect to a proposed change in wages or hours, and
- (d) the relationship of employer and employee continues uninterrupted by any matter or thing arising out of the dispute,

until fourteen days after the date fixed for the taking of a vote under subsection (8) of section 93.

(2) Subsection (1) does not apply in any case where an application under section 82 is refused.

(3) Nothing in this Part prohibits the suspension or discontinuance of any industry or of the working of any persons therein for any cause not constituting a lock-out or strike.

(4) Notwithstanding anything contained in subsection (1),

- (a) no trade union, no officer or representative of a trade union and no person acting or representing himself to be acting on behalf of a trade union shall authorize or call a strike, and
- (b) no employee shall go on strike,

until a vote has taken place under the supervision of the Board in the manner provided for in section 69 and a majority of the employees entitled to vote have voted in favour of the strike.

**95. (1) A strike or lock-out is illegal where the parties to the dispute have not complied with the provisions of sections 82 to 94.**

(2) Where a strike is illegal, no trade union or member of the trade union or other person shall dissuade or endeavour to dissuade anyone from

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- (a) entering an employer's place of business, operations or employment,
- (b) dealing in or handling the products of any person, or
- (c) doing business with any person.

**96.** (1) An employer who causes or participates in an illegal lock-out is guilty of an offence and liable on summary conviction to a fine not exceeding one dollar for each employee for each day or part of a day that the employee is locked out.

(2) Any person being

- (a) an officer, agent or representative of any employer or employers' organization who causes or participates in an illegal lock-out,
- (b) an officer or representative of a trade union or employees' organization who authorizes, calls or consents to an illegal strike, or
- (c) a person acting or representing himself as acting on behalf of a trade union or employees' organization who authorizes, calls or consents to an illegal strike,

is guilty of an offence and liable on summary conviction to a fine not exceeding fifty dollars for each day or part of a day that the illegal strike or lock-out exists.

(3) Any employee who participates in an illegal strike is guilty of an offence and liable on summary conviction to a fine not exceeding one hundred dollars.

**97.** (1) A trade union or an employees' organization that authorizes, calls or consents to an illegal strike is guilty of an offence and liable on summary conviction to a fine not exceeding one dollar for each person for each day or part of a day that the person participated in the illegal strike.

(2) In default of payment within ten days of the conviction of any fine imposed pursuant to the provisions of subsection (1), and upon the return to work of the employees who participated in the illegal strike, the employer upon receipt of notice from the magistrate stating the amount of the fine remaining unpaid shall continue to deduct the union dues from the wages of the employees

- (a) in accordance with any check-off provisions in any collective agreement in force within one month prior to the commencement of the illegal strike, and
- (b) in accordance with any order in writing made by an employee to his employer requiring his employer to pay part of the moneys due to the employee



(i) to the trade union or bargaining agent, or

(ii) to any other person on account of union dues,

that was in force within one month prior to the commencement of the illegal strike.

(3) The employer shall pay the union dues collected pursuant to subsection (2) to the magistrate who made the conviction until such time as the fine imposed pursuant to subsection (1) has been paid in full.

(4) After the employer has collected the amount of the fine he shall cease to make the deductions authorized by subsection (2), and thereafter shall make such deductions from the wages of his employees as may be authorized by the provisions of any collective agreement or orders in writing made by the employees subsequent to the illegal strike.

## 98. Where

(a) a local union or branch of a trade union has called or authorized an illegal strike, or

(b) the employees belonging to the local union or branch have participated in an illegal strike,

the penalties incurred pursuant to section 97 apply to the local union or branch and do not apply to any other local union or branch of the trade union whose members have not participated in the illegal strike.

99. (1) Where at any time in the opinion of the Lieutenant Governor in Council a state of emergency exists in the Province in such circumstances that life or property would be in serious jeopardy by reason of

(a) any breakdown or stoppage or impending breakdown or stoppage of any system, plant or equipment for furnishing or supplying water, heat, electricity or gas to the public or any part of the public, or

(b) a stoppage or impending stoppage of hospital services in any area of the Province,

if the state of emergency arises from a labour dispute, the Lieutenant Governor in Council may by proclamation declare that from and after a date fixed in the proclamation all further action and procedures in the dispute are to be replaced by the emergency procedures under this section.

(2) After the date fixed in the proclamation any strike or lock-out or other action in the labour dispute otherwise becomes illegal and an offence under this Act.

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(3) Upon the proclamation being made, the Minister shall forthwith establish a procedure to assist the parties to the dispute in respect of which the proclamation issued to reach a settlement, and the Minister is hereby empowered to do all such things as may be necessary to settle the dispute.

(4) Notwithstanding section 94 or any other provision of this Act, where the Minister establishes a procedure for settlement of the dispute

- (a) no employer who is a party to the dispute shall cause a lock-out,
- (b) no employees who are parties to the dispute shall go on strike,
- (c) none of the parties to the dispute shall alter any of the conditions of employment except that the employer, with the consent of the bargaining agent, may give effect to a proposed change in wages or hours, and

(d) any strike or lock-out that may be in effect shall terminate, and the relationship of employer and employee continues uninterrupted by the dispute or anything arising out of the dispute.

### **Vote on Direction of the Minister**

#### **104. The Board**

- (a) may on the request of the employer or on receipt of a petition signed by not less than fifty per cent of the employees, and
- (b) shall on the direction of the Minister,

direct a vote to be taken under its supervision on any question involving the relations between the employer and his employees in a unit as to which it is desirable to have an expression of opinion of the majority of the employees.

**104a.** (1) Where a difference exists between parties concerning the application or operation of the provisions of this Part, either of the parties may refer the difference to the Board.

(2) Upon reference of the difference to the Board pursuant to subsection (1) the Board may, if it deems it desirable, cause an investigation to be made as to the facts and in the course of the investigation call the parties concerned before it.

(3) The Board shall make full inquiry and endeavour to bring about agreement between the parties in relation to the difference.

(4) Where the Board cannot bring about agreement between the parties, the Board shall, if it deems it desirable, make recommend-

ations as to what in the opinion of the Board ought or ought not to be done by the respective parties concerned.

(5) If agreement between the parties is not brought about the Board has power, subject to section 125, to institute whatever action it, in its discretion, deems desirable to ensure compliance with and enforcement of the provisions of this Part.

**106.** Each of the parties to a collective agreement shall upon its execution forthwith file one copy with the Minister.

**107a.** (1) Each bargaining agent shall make available to each of its members a true copy of its annual statement setting out its receipts and expenditures and its assets and liabilities.

(2) The statement mentioned in subsection (1) shall be made available to each member not later than two months after the end of the fiscal year of the bargaining agent.

# Teacher Education in Alberta

H. T. Coutts

Dean, Faculty of Education, Edmonton

Today the Faculty of Education performs four important functions. The first of these is the preparation of teachers for the schools of the province. To this end, three avenues are open.

The one-year program leads to the Interim Junior Elementary Certificate. To be eligible for admission to this program the prospective teacher must hold a High School Diploma with "B" standing or better and a 60% average in English 30, Social Studies 30, and three further Grade XII examination subjects from Mathematics 30, Chemistry 30, Physics 30, Biology 32, French 30, German 30, Latin 30, Music 30. After a year of intensive study, the successful student qualifies for the interim Junior E Certificate which becomes permanent when the holder presents evidence of complete matriculation, teaches satisfactorily in the province for two years, and is recommended by a Superintendent or Inspector of Schools.

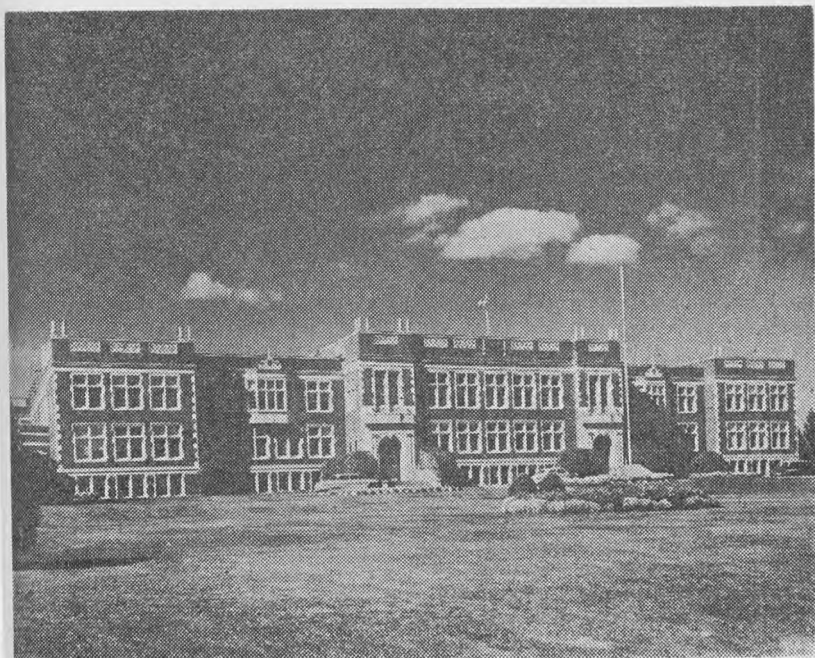
The four-year program leads to the Bachelor of Education degree. To be eligible for admission to this program the applicant must hold matriculation standing: a High School Diploma and "B" standing or better in English 30, Social Studies 30, and four of Mathematics 30, Chemistry 30, Physics 30, Biology 32, French 30, German 30, Latin 30 or Music 30, with an over-all average of 60% on the required six subjects. The program, which provides a balance between academic and professional studies, has two routes. One of these is planned to prepare teachers for the elementary, the other for the secondary school. At the end of two years, the successful student qualifies for the Standard Elementary or Standard Secondary Certificate depending on the route followed. A third year qualifies all candidates for the Professional Certificate, a fourth year for the Bachelor of Education degree. Some specialization is possible in the degree program by a careful choice of major and minor fields of study. A further possibility for specialization is provided through the B.Ed. in Industrial Arts degree program.

The nine-course program leads to the B.Ed. degree for the holders of B.A., B.Sc., or other approved degrees. The Standard Certificate is secured after completing five of these courses (a year's work), the Professional Certificate after completing two further courses (a summer session's work), and the B.Ed. degree after com-

pleting all nine. The Junior Elementary program and all years of the regular B.Ed. program are offered both in Edmonton and Calgary. The first three years of the B.Ed. in Industrial Arts are offered only in Calgary. By a cooperative arrangement, affiliated Junior Colleges may offer a first year of the B.Ed. program to certain students. This program must be followed by a year in the Faculty of Education, University of Alberta (Edmonton or Calgary) before certification is possible.

A second function of the Faculty of Education is the training of graduate students. Through the Faculty of Graduate Studies our Divisions of Administration, Elementary Education, Educational Psychology, and Secondary Education, provide programs leading to the M.Ed., Ed.D. and Ph.D. degrees.

A third and growing function of the faculty is the planning and conducting of educational research. Through the cooperation of The Alberta Teachers' Association, the Alberta School Trustees' Association, the Alberta Federation of Home and School Associations Incorporated, the Department of Education, and the Uni-



**Education Building, Edmonton**

## Education

versity of Alberta, the Alberta Advisory Committee on Educational Research assists the Faculty in developing and financing its research program. Some results of this program are given publicity through *The Alberta Journal of Educational Research* and other educational periodicals.

A fourth function of the Faculty of Education is service to teachers, school boards, the Department of Education, and other groups interested in education. Through the Summer Session, the Evening Credit Program, contributions to institutes and zone meetings, the staff of the Faculty is serving to the extent of its resources.

The Faculty of Education welcomes visits or inquiries from those interested in its efforts. Information on any point may be had by writing to the Dean, Faculty of Education, University of Alberta, Edmonton, or to the Associate Dean, Faculty of Education, University of Alberta, Calgary.



**Education Building, Calgary (under construction)**



# Teacher Certification

J. I. Sheppy

Registrar, Department of Education, Edmonton

## General Certificates

It is required by law that no person shall be employed as a teacher in any Alberta school, unless he or she holds a certificate of qualification, or teaching authority issued by the Minister of Education. While the University Faculty of Education is responsible for teacher training, the Department of Education is concerned with the issuing of teaching certificates or letters of authority.

The following table lists the general classes of teachers' certificates issued after May 17, 1954, by the Minister of Education.

Classes of Certificates	Academic and Professional Training	Grade-Range Validity	Interim Validity	Requirements for Permanent Certification
Junior E	Grade XII and 1 year in Faculty of Education	1-9 incl.	3 years	See notes (a) and (b) below
Standard E	Matric. and 2 years in Faculty of Education	1-9 incl.	3 years	See note (b) below
Standard S	Matric. and 2 years in Faculty of Education	4-11 incl.	3 years	See note (b) below
Professional	Matric and 3 years in Faculty of Education	1-12 incl.	3 years	See note (b) below

### Notes:

- (a) If the holder of an Interim Junior E Certificate does not have matriculation standing, he must meet matriculation requirements of the Faculty of Education before the expiry date of the certificate, and before the certificate can be made permanent. He must also meet the requirements under (b).
- (b) Interim certificates issued to teachers trained in Alberta may be made permanent when the following requirements have been met:
  - (i) a minimum of two years' successful teaching experience in Alberta
  - (ii) a recommendation for permanent certification from an Alberta Inspector or Superintendent of Schools.

## Certification

Teachers holding a permanent certificate under former regulations may, upon application to the Minister of Education, ex-

## Certification

change it for a new certificate in accordance with the following table of ratings:

Permanent Certificates under former regulations	Equivalent Permanent Certificates
Second Class Certificate	See note below
Elementary and Intermediate (Grade 1-10 inclusive)	Junior E (with teaching privileges extended to include Grade X)
Senior Elementary and Intermediate	Standard E
Junior Certificate for High School	Standard S
High School	Professional
First Class with Bachelor's Degree	Professional
First Class	Standard E and Standard S (with teaching privileges extended to include Grade XII)
Academic	Professional

### Notes:

The permanent Second Class certificate shall remain in effect. The holder may be granted a Junior E certificate upon the completion of B.Ed. matriculation or one approved summer session of work taken either before or after the coming into effect of Order-in-Council No. 728-54, and if recommended by a Superintendent or Inspector of Schools.

Except for holders of the interim (lapsed) second class certificate, teachers holding interim (lapsed) certificates of the above classes may have them exchanged for appropriate interim certificates. Holders of the interim second class certificate, or of any interim certificate without senior matriculation, may teach on a Letter of Authority on recommendation of a school superintendent, but must show that they are taking steps to overcome their senior matriculation deficiencies.

## Special Certificates

The Minister of Education may grant a Special Certificate in one or more of the subjects in the fields of the Administration, Business Education and Technical electives, in Physical Education, Guidance, Kindergarten-primary work, Art, Dramatics, and Music. Before a specialist certificate is granted, it is required that the teacher hold a general certificate of the appropriate class.

Special certificates may be of three grades, Junior, Senior, and Advanced. The courses for a special certificate are prescribed by the Minister. Detailed information on the approved courses leading to special certificates is available from the Department of Education or the Faculty of Education.

## General Information

The Minister of Education may, on such terms or conditions as he thinks proper and necessary:

- (a) extend, reinstate or revive any teacher's certificate now or formerly valid in Alberta;

- (b) issue Letters of Authority to persons of suitable academic and professional or technical attainments who do not otherwise qualify under the usual certification regulations; or
- (c) extend the range of grades which may be taught by the holder of a certificate.

No teaching certificate shall lapse during any period that the holder is studying at an approved institution for the purpose of improving his professional qualifications.

The Minister of Education may recognize a teaching certificate or diploma not obtained in Alberta, and grant an interim Alberta certificate of equivalent class, provided that the professional and academic qualifications of the teacher trained outside Alberta are satisfactory. The Minister may prescribe the amount or extent of additional training requisite for obtaining an interim or permanent certificate.

A teacher holding a certificate from another province or country is not entitled to teach in Alberta until his or her qualifications have been evaluated and an Alberta teachers' certificate or Letter of Authority has been granted therefore. No permanent certificate is issued to any person who is not a British subject.

### Letters of Authority

Letters of Authority may be issued, on the recommendation of an Alberta school superintendent, to the following persons:

- (1) To teachers whose interim certificates have lapsed and who do not hold complete matriculation into the Faculty of Education, University of Alberta.
- (2) To Faculty of Education students who have substantially completed professional training but lack one or two subjects for certification.
- (3) To teachers trained outside of the Province of Alberta who lack complete senior matriculation, or are deficient in certain education courses.

The Letter of Authority is issued for one year only. Renewal of teaching authority will be largely dependent upon the progress the teacher makes in removing the educational deficiencies noted on the Letter of Authority.

# **The Alberta Teachers' Association Services**

## **The ATA Magazine**

*The ATA Magazine* is the official organ of The Alberta Teachers' Association. It endeavours to keep members informed of the affairs and activities of their professional organization and to promote the objectives of The Alberta Teachers' Association.

The Magazine publishes articles, reports, and stories concerning curriculum, certification, teaching methods, teacher welfare, and notable educational achievements, local and sublocal news, book reviews, and other items, which seek to promote the inservice training of teachers.

The Editor welcomes contributions from teachers.

The magazine is published monthly from September to June inclusive.

## **A.T.A. Library**

The A.T.A. Library is a service provided to members for their professional advancement and enjoyment. The books in the library deal with almost all phases of education and cover such fields as psychology, remedial reading, supervision, curriculum making, reporting, group planning and public relations. A catalogue is available on request, listing books which may be loaned to teachers.

The loan period is four weeks. The Library pays postage both ways by using a reversible wrapper.

Many new books are being added and suggestions for the purchase of others are always welcomed! Each year the Association will be spending \$1,000 on improving the library for the use of the membership.

## **The A.T.A. Banff Conference**

The Alberta Teachers' Association Banff Conference, initiated in 1949, is held annually at the Banff School of Fine Arts, during the last part of August. Representation is limited to one member from each local, Executive Council members, and representatives from other provincial teachers' organizations, Alberta School Inspectors' Association, Alberta School Secretaries' Association, the Faculty of Education, the Department of Education, and the Alberta Federation of Home and School Associations Incorporated.

Beginning in 1960, a complete re-organization of the program became effective. Three courses are offered—A.T.A. Policy and Administration, Curriculum, and Public Relations and Publicity.

Each course has eight half-day sessions or four times as much time as was given in former years. Besides this, there are general sessions on Monday and Saturday mornings. Wednesday afternoon is allowed for sightseeing or pleasure. Talks, panel discussions and a square dance fill in the evenings.

Delegates attending spend the entire session on one topic. This means that since a local can only send one representative, it takes three years to cover the entire programme, consequently, the locals of the province have been divided into three groups which by cycling will make it possible at the end of three years to have had representation at each course. Each group has a cross-section of locals from all parts of the Province.

Beginning in 1960, Group I attended the course on A.T.A. Policy and Administration, Group II took Curriculum, and Group III Public Relations and Publicity. For 1961, and 1962 the groups will rotate so that at the end of a three year period each local will have had the opportunity to have representatives well versed on each topic. In 1963 and every three years thereafter the cycle will repeat.

The Executive Council believes that delegates should be selected very carefully, and should be chosen because of interest in the course to be taken. It is hoped that a longer and more concentrated course will have the effect of developing leaders or consultants who can take a more active part in local activities.

Locals are entitled to have representation at the following course in 1960, and will rotate groups in succeeding years. At the end of three years the cycle will repeat—

### GROUP I (A.T.A. Policy and Administration 1960)

Acadia	High Prairie	Stony Plain
Bonnyville	Macleod	Taber
Calgary Public	Medicine Hat City	Turner Valley
Calgary Rural	Neutral Hills	Two Hills
Clover Bar	Provost	Wainwright
Crow's Nest Pass	Red Deer City	West Jasper Place
Edmonton Public	St. Paul	Wetaskiwin
Foothills	Stettler	Wheatland
Fort Vermilion		

## Services

### GROUP II (Curriculum Making 1960)

Calgary Public	Fairview	Peace River
Calgary Suburban	Holden	Pincher Creek
Camrose	Lac La Biche	Red Deer District
Correspondence School	Lacombe	Smoky Lake
Edmonton Public	Leduc	Three Hills
Edmonton Suburban	Lethbridge City	Vegreville
Edson	Medicine Hat Rural	Warner
E.I.D.	Mount Rundle	Westlock

### GROUP III (Publicity and Public Relations 1960)

Athabasca	Forty Mile	Rocky Mtn. House
Barrhead	Grande Prairie	St. Mary's River
Calgary Public	Killam	Spirit River
Calgary Separate	Lac Ste. Anne	Sturgeon
Castor	Lamont	Sullivan Lake
Drumheller	Lethbridge District	Thorhild
Edmonton Public	Olds	Vermilion
Edmonton Separate	Ponoka	Vulcan

## Collective Bargaining

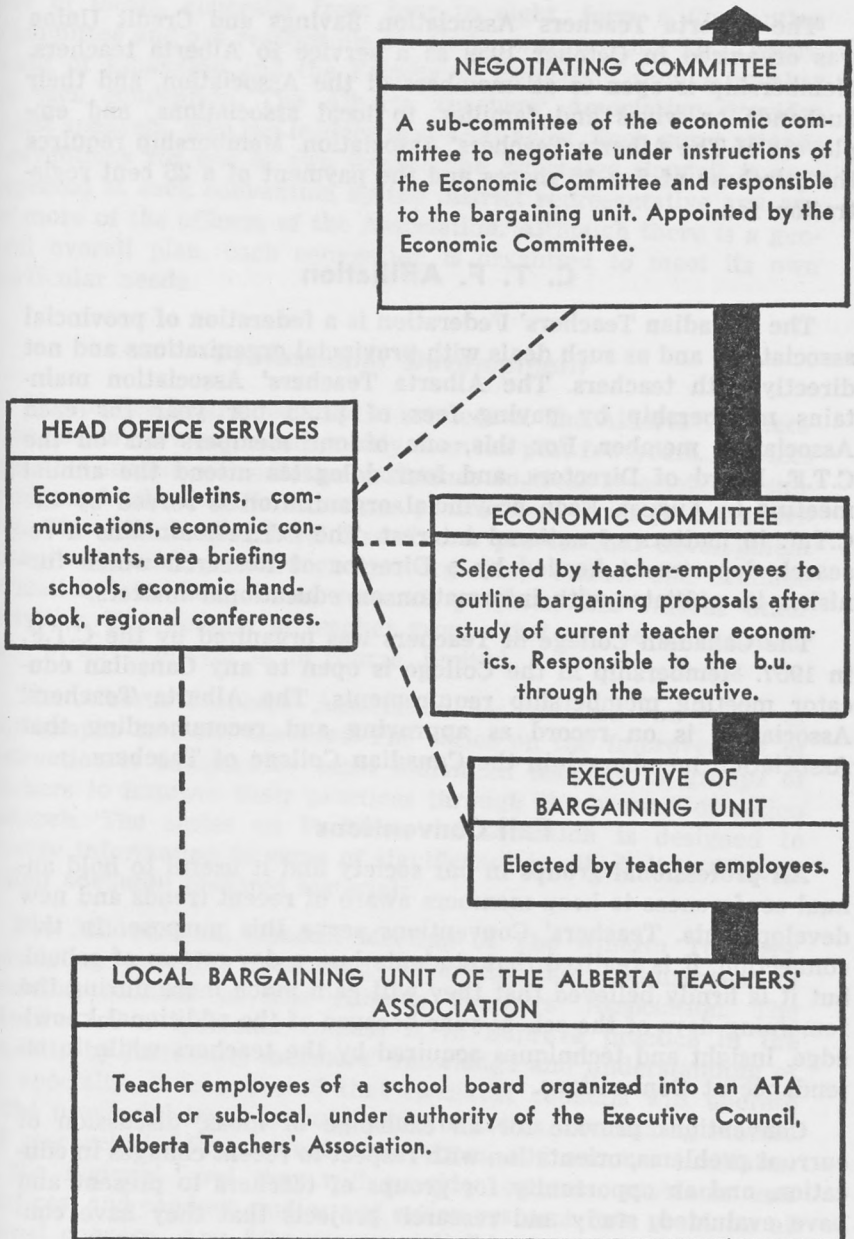
In law, The Alberta Teachers' Association is the bargaining agent for all teachers in the Province who fall under the requirements for membership as set out in *The Teaching Profession Act*. The local bargaining unit must initiate negotiations with its board. The Association will not take a direct part in the negotiations until requested to do so by a majority vote of the bargaining unit at a properly called meeting. Through its *Economic Bulletins*, the Association supplies statistical information on economic trends for the use of the bargaining units, and keeps local teachers informed of provincial trends. The Alberta Teachers' Association provides advice on the techniques of collective bargaining through area briefing schools, makes available economic consultants who are trained by head office for this work, and publishes suggested salary objectives for each year, based on an analysis of economic trends.

Once the dispute is officially turned over to the Association, a representative of the Bargaining Agent, who acts by and with the consent of the majority of the bargaining unit in further negotiations is appointed by the Executive Council. If a strike situation is reached, the Executive Council must decide as to whether provincial funds will be used to support the strike. Otherwise, the decision to accept or reject settlement at any level is always in the hands of a majority of the members of the bargaining unit.

The following chart gives the structure of the bargaining procedures at the local level:



Services  
TO NEGOTIATIONS



**THE STRUCTURE OF ATA NEGOTIATIONS PROCEDURE  
(Local Level)**

### Credit Union

The Alberta Teachers' Association Savings and Credit Union was organized in October 1959 as a service to Alberta teachers. Membership is open to all members of the Association, and their husbands or wives and families, to local associations, and employers of The Alberta Teachers' Association. Membership requires the purchase of five \$5 shares and the payment of a 25 cent registration fee.

### C. T. F. Affiliation

The Canadian Teachers' Federation is a federation of provincial associations and as such deals with provincial organizations and not directly with teachers. The Alberta Teachers' Association maintains membership by paying fees of \$1.25 per year for each Association member. For this, one of our members sits on the C.T.F. Board of Directors, and four delegates attend the annual meeting in August. Each provincial organization is served by the C.T.F. in matters of national interest. The C.T.F. maintains a research department headed by a Director of Research which furnishes its affiliates with information on educational matters.

The Canadian College of Teachers was organized by the C.T.F. in 1957. Membership in the College is open to any Canadian educator meeting membership requirements. The Alberta Teachers' Association is on record as approving and recommending that Association members join the Canadian College of Teachers.

### Fall Conventions

All professional groups in our society find it useful to hold annual conferences to keep members aware of recent trends and new developments. Teachers' Conventions serve this purpose. In this connection, it is realized that students lose a day or two of school, but it is firmly believed that they will gain much more during the remaining days of the school year because of the additional knowledge, insight and techniques acquired by the teachers while in attendance at Conventions.

Conventions provide for an exchange of ideas, discussion of current problems, orientation with respect to recent changes in education, and an opportunity for groups of teachers to present and have evaluated, study and research projects that they have conducted.

The Alberta Teachers' Association in cooperation with the Department of Education and the Faculty of Education organizes a circuit of Fall Conventions each year. There are at present sixteen

annual teachers' conventions, fourteen held in October and November and two, Calgary and Edmonton cities, held in February. A number of locals, generally from four to eight, form a Convention Committee and are responsible for their own program. The Department of Education and the Faculty of Education send a speaker to each convention. The Alberta Teachers' Association provides guest speakers, who are leaders in special fields. Each guest attends conventions for one or two weeks. The Executive Council is represented at each convention by the district representative and one or more of the officers of the Association. Although there is a general overall plan, each convention is organized to meet its own particular needs.

## Professional Development

The professional development services of The Alberta Teachers' Association have expanded greatly over the past few years. Services available include consultative assistance to local associations, sub-locals, and school staffs in various professional development activities. The Alberta Teachers' Association professional development consultants assist teacher groups, organize, conduct and evaluate educational studies, action research projects, and various other activities. The number of teacher groups that can be given assistance in any one year is, of course, limited.

The Alberta Teachers' Association has initiated two series of monographs to assist teachers. The series on the Improvement of Instruction is designed to assist individual teachers or groups of teachers to improve their practices through the process of action research. The series on Problems in Education is designed to provide information in areas of significance in which it is difficult to find adequate resource materials.

The 1960 Annual General Meeting of The Alberta Teachers' Association passed a resolution permitting the establishment of specialist councils of The Alberta Teachers' Association. The objective of a specialist council is to improve practice in the specialty by increasing members' knowledge and understanding of the specialty. It is expected that specialist councils will operate at the provincial level by publishing bulletins, conducting studies and research, holding annual conferences, and summer institutes. At the regional level they will consider common problems and practices, and conduct studies and action research into problems of mutual concern. Any fifty persons, eligible for membership in a specialist council (any Alberta educator who has an interest in the specialty), may petition the Executive Council to form a specialist council of The Alberta Teachers' Association. If the Exec-

## Services

utive Council approves the petition, a temporary executive committee will be named to organize and call the first meeting of the proposed specialist council. Provincial specialist councils are free to organize regional groups. The cost of formation will be borne by The Alberta Teachers' Association. If the first annual meeting of the specialist council approves the principles outlined in the model constitution, it will receive assistance from The Alberta Teachers' Association consisting of: an annual grant of \$100; one approved guest speaker or consultant for its annual conference; printing and distribution of a bulletin or newsletter to members of the specialist council; and such other assistance as may be determined from time to time by the Executive Council.

Each year The Alberta Teachers' Association offers eleven \$500 scholarships and one \$2400 fellowship to teachers and education students who are continuing their professional education. Three scholarships are offered to students taking post-graduate work in education during a regular winter session at any university recognized by the University of Alberta. Four scholarships are offered to students in the Faculty of Education, University of Alberta, who are proceeding from their third to the fourth year. Four scholarships are offered to teachers with permanent certificates who have completed three years of the bachelor of education program and are proceeding to the fourth year of the program by intramural study. The \$2400 Fellowship in Education is offered to residents of Alberta, who are members of the Association, and who are admitted to the School of Graduate Studies of the University of Alberta for intramural study at a regular winter session on a doctoral program in education.

The Alberta Teachers' Association Professional Assistance Program provides interest free loans to a maximum of \$800 to Alberta teachers holding permanent certification and a satisfactory university record who wish to further their professional education during a regular winter session at any university recognized by the Faculty of Education, University of Alberta.

The Alberta Teachers' Association has prepared a model induction ceremony for use by local associations in inducting new members into their profession. Induction materials are also provided to local associations for presentation to new members.

The public relations activities of the Association have been incorporated with the other professional development activities, because of our conviction that public relations depends in the final analysis upon the overall activities and actions of the Association. Each year, The Alberta Teachers' Association sponsors the official opening of Education Week. A vocations information folder is made

available to all high school students. Over 30,000 of these folders have already been distributed. The leaflet *A Career in Teaching* is available for distribution to all interested persons. The public relations bulletin published quarterly contains information and suggestions for conducting public relations and education programs at the local level. It is mailed to principals of multi-room schools, secretaries of local associations, public relations chairmen of local associations, superintendents of schools, and various Department of Education and Faculty of Education officials.

## Professional Relations

Every profession has a code of acceptable conduct for the guidance of its membership. Based on the Code of Ethics of our Association and the conduct prescribed by this code, the Association provides a number of services. One of these is assistance and advice to teachers who feel they have been dealt with unjustly by colleagues (whether in equal superordinate or subordinate positions), by school board, or by the public. Teachers write, telephone and call personally for assistance. Their rights under *The School Act* can be explained and legal advice is available through staff officers. If their difficulty leads to legal action which involves a principle which would affect all teachers, the Association will normally provide legal service free of charge. With approval of the Executive Council additional legal services may be provided.

The Association is slowly exploring new problems which develop when a dispute occurs between members of the Association. In this new field adequate working machinery has not yet been developed. One apparent trend is that the Association is being called into all disputes at an earlier stage and that in many instances an accommodation can be arrived at before external interference produces a grievance.

## Publications

The Association's publications are listed below with distribution and availability shown.

*The A.T.A. Magazine*—

10 issues per year September to June, mailed to members.

*The A.T.A. Handbook*—

every three years, one copy to each local, others sold at cost.

*The A.T.A. Policy Handbook*—

yearly, free on request of members.

## Services

*The A.G.M. Handbook—*

yearly, to Annual General Meeting councillors.

*Improvement of Instruction—*

a series of monographs, free on request of members.

*Problems in Education—*

a series of monographs, free on request of members.

*The Economic Handbook—*

revised yearly for use of local economic committees, loaned to locals on deposit of \$15.00.

*The A.T.A. Library Catalogue—*

available on request.

*Public Relations Bulletin —*

four issues per year, mailed to all multi-room schools, on request to individual members.

*The A.T.A. Newsletter—*

five issues per year, mailed to local executives, councillors and others on request.

*Economic Bulletin—*

monthly, mailed to local executives and salary negotiation committees.

## Research

One of the earliest projects undertaken by the Association was the preparation and publication of a book on vocations, *Choosing Your Life Work*. The preparation of this book in 1937 involved considerable research which was done by Dr. Fred Tyler under the direction of Dr. M. E. LaZerte and Dr. H. E. Smith. In 1943, the Association undertook a survey of the basic skills in Grade 9. During the succeeding five years, Dr. Clarence Sansom prepared and marked a series of these tests. The results were published and a summary was printed in the June 1950 issue of *The ATA Magazine*.

In 1936 a trust fund for research was established with an annual appropriation of \$1,000. The interest on the principal was to be made available for research, with additional amounts as required from general revenue. At that time, it was indicated that these funds would support modest research projects. Direct research by the Association into many areas of education might be subject to the criticism that the Association is an interested and therefore biased party. For this reason, the Association has supported from its inception the Alberta Advisory Committee on Educational Research. This committee includes representatives from



the Faculty of Education of the University of Alberta, the Department of Education, the Alberta School Trustees' Association, the Alberta Federation of Home and School Associations Inc., and The Alberta Teachers' Association. For the past few years the Association has contributed \$1,500 a year to this research body. In addition, locals make grants directly. The Alberta Advisory Committee on Educational Research publishes *The Alberta Journal of Educational Research* and has started a series of monographs on educational research.

There are certain areas where research by the Association itself is quite legitimate. One of these is internal operation, for example, a readership survey of *The ATA Magazine*. A second is the beliefs and attitudes of teachers regarding the value of their various teacher education experiences. A third legitimate area is in direct co-operation with other bodies in studying a common problem, for example, a survey of teacherages in the province. The Alberta Teachers' Association is carrying on research in two of the above named areas.

# Professional Responsibility in Policy Formation

*The Teaching Profession Act* states that all persons carrying on the profession of teaching in any institution in the Province that is supported by provincial or municipal taxation shall be members of The Alberta Teachers' Association. Implicit in this compulsory membership is the right of the individual to help shape the objectives of the Association as they are set out in the same Act. Professionally minded teachers regard it a duty to formulate, support and advance the objectives of the Association. The constitutional by-laws of the Association provide the means by which each member may make his voice heard in the democratic processes of his professional group.

The basic principle upon which our constitutional structure is based is the principle of responsible government. This means that our Association's executive body, the Executive Council, is responsible to the membership through our legislative body, the Annual General Meeting. In addition to this broad responsibility, there is an individual responsibility of each Executive Council member to his constituents in his geographic zone which he represents; and of the President and Vice-President to all the teachers of Alberta who elect them to these high offices. All active policy must first be made official by the Annual General Meeting, which is made up of elected councillors from each of our Locals in the Province. The Executive Council, and its employees, the staff officers and their subordinates, must operate within the sphere of articulated policy.

Where does the individual teacher fit into this carefully designed democratic procedure? As a practicing teacher he is a member of the local association in his area. As such, he has full rights at meetings of the local to raise any issue which he deems to be suitable and important. As a member of a Local, he may be elected a councillor to the policy-making Annual General Meeting, and subject to the by-laws, may run for a seat on the Executive Council, or for the position of president or vice-president of the Association.

In these latter positions he will be able to directly exert his powers under the constitutional by-laws to modify or create Association policy. If he does not aspire to the offices of councillor, District Representative, Vice-President, or President of his provincial association, he has the right to work through his local which can propose policy-making resolutions to the A.G.M.; or to initiate through proper channels proposed amendments to our by-laws to bring about changes he desires.

It must never be forgotten that along with this right as a professional member of a professional organization goes a responsibility to support and bolster the work of the organization. This means that each member should take a keen interest in, and be a strong supporter of his local association. The great strength of the Association has always resided in the strength of the local associations throughout the province. Again and again from the ranks of our membership has come the strong leadership of councillors, executive members, and presidents to see us through our most severe crises. It is the duty of each member to study and know policy as printed in this handbook, and in the annual policy handbook. The latter is available from Head Office free of charge to the membership. Through the Annual General Meeting, the teachers of Alberta express their professional judgment on the many problems which face our Association. These are articulated in the policy handbook for all to read.

Some of our major policies developed by our parliament are printed below:

*Academic and Political Freedom for Teachers*—No discrimination against a teacher who seeks election as an M.L.A., an M.P., or to any other governing body other than his own school board. Security of tenure and granting of the necessary leave of absence should he be elected.

*Canadian Teachers' Federation*—Support of a national teachers' organization, to function as a federation of its provincial affiliates.

*Curriculum Making*—The Association shall name its own representatives to the various curriculum committees. Increase in the representation of teachers on such committees. Ample school time should be provided for teachers to do curriculum work. Accreditation for properly staffed and equipped schools.

*Fiscal Independence for School Boards*—School Boards to be elected for the sole purpose of operating the schools and should be fiscally independent of municipal authorities.

*Working Conditions*—Satisfactory working conditions under a modern school curriculum with a limit of 25 students per classroom.

*Pensions*—Improved pensions should be based on increasing the pensionable service to include years of teaching service prior to age 30.

*Research*—A long-range research program into the basic school skills in Alberta with a view to providing evidence upon which future comparisons might be made.

## Policy

*Salaries*—Equal pay for equal work. No salary differentials between men and women. Equal professional pay for equal professional education and teaching experience. Sabbatical leave after seven years of continuous service. Cumulative sick leave for teachers. Clerical help and time off for teachers, administrators, and supervisors. Teachers be prepared to use all legal means under *The School Act* and *The Alberta Labour Act* to obtain satisfactory salary agreements.

*Scholarships and Bursaries*—Eleven scholarships of \$500 each to students and teachers who are continuing their professional preparation. Loans are provided for the completion of intramural study. There is a \$2400 post-graduate fellowship available to a selected student doing doctoral work in the Faculty of Education.

*Teacher Education and Certification*—The control of standards and conditions of entrance to the teaching profession should be determined in consultation with The Alberta Teachers' Association.

*Tenure*—Security of employment for all teachers is essential, including an appeal in case of dismissal, transfer, or termination of designation, to a neutral body, where all evidence is given under oath and is subject to cross-examination.

A complete list of Association policy is found in the Policy Handbook. It is the professional duty of all members to be familiar with this policy, and to seek amendments through proper channels of those policies which they regard as improper.

# Local Association Model Constitution

## Name

1. The name of this Local Association shall be \_\_\_\_\_  
\_\_\_\_\_ Local Association of The Alberta  
Teachers' Association.

## Boundaries

2. The area served by this Local Association shall include  
\_\_\_\_\_ (School Division, County)  
and \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
(School Districts).

## Sub-Locals

3. This Local Association shall include the following Sub-Locals:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
and such other sub-locals as the Executive Committee of this Local Association may approve and as the Executive Council of The Alberta Teachers' Association may ratify.

## Objects

4. The objects of this Local Association shall be:
- (a) to further the aims and objects of The Alberta Teachers' Association,
  - (b) to foster observance of The Alberta Teachers' Association Code of Ethics,
  - (c) to promote active professional interest among the members in all educational matters,
  - (d) to promote and develop annual fall conventions,
  - (e) to stimulate and arouse public interest in education.

## **Constitution**

### **Membership**

5. (a) Any teacher who is a member of The Alberta Teachers' Association and teaches in a school, college or university within the boundaries of the Local Association shall be a member of this Local Association.
- (b) Any life members of The Alberta Teachers' Association residing within the geographic boundaries of this Local Association shall be members of this Local Association.

### **Fees**

6. This Local Association shall have the power, subject to approval of the Executive Council of The Alberta Teachers' Association, to levy fees for membership in this Local Association such as are determined from time to time in a general meeting of the Local Association. Such fees shall be additional to and in no way part of the statutory fees for membership in The Alberta Teachers' Association.

### **Meetings**

7. (a) A general meeting of this Local Association shall be held at least once each year.
- (b) The Executive Committee of this Local Association shall meet as often as is required to attend to the business of this Local Association.
- (c) General meetings or executive meetings of this Local Association shall be called by the secretary-treasurer on the request of an officer of The Alberta Teachers' Association, or of the District Representative of whose district this Local Association forms a part, or on the request of the president or of the councillors of this Local Association.
- (d) Notices of intent to hold a general or an executive meeting shall be mailed at least ten days before such meeting is to be held, and such notices shall include an outline or agenda of business to be discussed at the meeting, provided, however, that any special or general meeting may, by a two-thirds majority vote of the total number of members on the roster, waive notice of a meeting or of any motion brought before the meeting.
- (e) The number of members required to constitute a quorum at any regular or special meeting in no case shall be less than.....
- (f) At each general meeting all members attending shall sign a register.



## Rules and Procedure

8. The proceedings of all meetings, general and special, and of the Executive Committee shall be regulated by the official Rules of Order and Procedure for The Alberta Teachers' Association, as published in *The A.T.A. Handbook*.

## Executive Committee

9. The Executive Committee of this Local Association shall consist of—

- (a) Officers—President, Vice-President, Past President and Secretary-Treasurer.
- (b) Councillors.
- (c) Sub-Local Representatives—Each sub-local association shall be represented on the Executive Committee by \_\_\_\_\_ member(s).
- (d) Ex-Officio Members—Any officer of The Alberta Teachers' Association and the District Representative of whose district this local association forms a part shall, ex-officio, be entitled to attend and participate in the proceedings of any meetings of the Executive Committee or general meetings of this Local Association.

## Duties of Executive Committee

10. It shall be the duty of the Executive Committee:

- (a) to prepare the agenda of business for all meetings,
- (b) to exercise general supervision of the affairs of this Local Association,
- (c) to prepare and transmit to Head Office of The Alberta Teachers' Association such reports and statements with reference to the affairs of this Local Association as may be required by the Executive Council of The Alberta Teachers' Association.
- (d) to ensure that all Association moneys are used to further the objectives of the Association as set out in *The Teaching Profession Act*.

## Election of Officers

11. (a) The officers of this Local Association shall be elected annually by vote of the members of this Local Association not later than November 30 of each year.

## Constitution

- (b) A vacancy on the Executive Committee occurring between annual elections shall be filled by appointment of a member of this Local Association by the remaining members of the Executive Committee.

### Duties of Officers

- 12.** (a) President—It shall be the duty of the president to call and preside at all meetings of this Local Association and to act as chairman of meetings of the Executive Committee of this Local Association.
- (b) Vice-President—It shall be the duty of the vice-president to take charge of the affairs of this Local Association in the absence of the president.
- (c) Secretary-Treasurer—The duties of the secretary-treasurer shall be:
- (1) to keep accurate records of all proceedings of this Local Association,
  - (2) to keep accurate records of all moneys received and collected and to take charge of same,
  - (3) to bring before executive and general meetings of this Local Association all official notices and communications received from Head Office of The Alberta Teachers' Association,
  - (4) to make the necessary disbursements of the funds of this local Association as authorized by the Executive Committee,
  - (5) to prepare and send to Head Office of The Alberta Teachers' Association such statements and reports as may be required from time to time, and
  - (6) to prepare and send notices calling all meetings, whether regular or special, of the Executive Committee and of the Local Association.
- (d) Councillors—The duties of each councillor of this Local Association shall be:
- (1) to represent this Local Association at all general meetings of The Alberta Teachers' Association,
  - (2) to report the proceedings of all general meetings of The Alberta Teachers' Association to the Executive Committee and to a general meeting of this Local Association, or to sub-locals,

- (3) to act as the liaison between the Local Association and The Alberta Teachers' Association, and
- (4) to attend all meetings of the Executive Committee of this Local Association.

**Committees**

**13.** This Local Association shall have the following standing committees:

- (a) **Convention Committee**—it shall be the duty of this committee to arrange a program for each annual convention or to co-operate with committees from other Local Associations in arranging a program for an annual convention including two or more Local Associations. The superintendent(s) of schools of the participating Local Association(s) shall, ex-officio, be members of the Convention Committee.
- (b) **Economic Policy Committee**—It shall be the duty of this committee to gather and study all data relevant to the preparation of a salary schedule or schedules to be presented on behalf of teachers to a school board or school boards. The committee shall choose its chairman and shall present its recommended schedule to the teachers for approval before presenting it to the salary negotiating committee.
- (c) **Salary Negotiating Committee**—It shall be the duty of this committee to conduct salary negotiations with the school board. The committee shall consist of \_\_\_\_\_ members chosen from the Economic Policy Committee. All matters relating to teachers' salaries and salary schedules which are subject to collective bargaining with the school board shall be the responsibility of this committee. This committee shall and must receive the approval of any offer made to it by the school board from a majority of the teachers.
- (d) **Public Relations Committee**—It shall be the duty of this committee to assume general supervision of all publicity and public relations work authorized by this Local Association.
- (e) **Educational Research Committee**—It shall be the duty of this committee to assume general supervision of professional programs of research and study proposed and authorized by this Local Association.
- (f) **Audit Committee**—It shall be the duty of this committee to examine and report to the annual general meeting the receipts and disbursements of the funds of this Local Association.

## **Constitution**

### **General**

- 14.** (a) This Local Association shall reimburse Executive Committee members for all necessary out-of-pocket expenses incurred while on business of this Local Association.
- (b) This Local Association shall authorize payment of necessary expenses incurred by any member engaged in business of a committee appointed by the Executive Committee or by the Local Association.
- (c) An allowance of \_\_\_\_\_ per year shall be made to each sub-local of this Local Association.

### **Amendments to the Constitution**

**15.** Amendments to this constitution may be made at a general meeting of this Local Association on the recommendation of the Executive Committee, subject to ratification by the Executive Council of The Alberta Teachers' Association, and with a two-thirds majority vote of the members present at such meeting.

# Alberta Teachers' Association

## Representation on Committees

The Association has established several permanent standing committees and is represented on various other boards and committees.

### Association Committees

- Curriculum Committee
- Discipline Committee
- Finance Committee
- Pension Committee
- Pensions Grievance Committee
- Resolutions Committee
- Scholarship and Loan Committee

### Department of Education

- Audio-Visual Aids Committee
- Board of Teacher Education and Certification
- Co-ordinating Committee
- Elementary Curriculum Committee
- General Curriculum Committee
- High School and University Matriculation Examination Board
- High School Curriculum Committee
- High School Entrance Examinations Board
- Joint Committee to Coordinate University and High School Curricula
- Junior High School Curriculum Committee
- Radio Committee
- Teaching Profession Appeal Board

### Other Committees

- Advisory Council on Education
- Alberta Advisory Committee on Educational Research
- Board of Administrators, Teachers' Retirement Fund
- Faculty of Education Council
- In-service Education Committee
- Leadership Course for School Principals
- Private Schools Committee

# Alberta Teachers' Association

## Local Associations

Acadia No. 2	Macleod No. 42
Athabasca No. 3	Medicine Hat No. 1
Barrhead No. 72	Medicine Hat Rural No. 8
Bonnyville No. 61	Mount Rundle No. 59
Calgary City No. 38	Neutral Hills No. 39
Calgary Rural No. 35	Olds No. 22
Calgary Separate No. 55	Peace River No. 23
Calgary Suburban No. 15	Pincher Creek No. 56
Camrose No. 5	Ponoka No. 50
Castor No. 47	Provost No. 14
Clover Bar No. 6	Red Deer City No. 60
Correspondence School No. 64	Red Deer District No. 24
Crow's Nest Pass No. 7	Rocky Mountain House No. 43
Drumheller No. 9	St. Mary's River No. 25
Edmonton Public No. 37	St. Paul No. 26
Edmonton Separate No. 54	Smoky Lake No. 40
Edmonton Suburban No. 29	Spirit River No. 57
Edson No. 11	Stettler No. 44
E.I.D. No. 52	Stony Plain No. 10
E.U.S. Calgary No. 70	Sturgeon No. 27
E.U.S. Edmonton No. 58	Sullivan Lake No. 46
Fairview No. 51	Taber No. 28
Foothills No. 16	Thorhild No. 68
Fort Vermilion No. 77	Three Hills No. 53
Forty Mile No. 12	Turner Valley No. 48
Grande Prairie No. 13	Two Hills No. 36
High Prairie No. 62	Vegreville No. 30
Holden No. 17	Vermilion No. 31
Killam No. 18	Vulcan No. 74
Lac La Biche No. 65	Wainwright No. 32
Lacombe No. 71	Warner No. 75
Lac Ste. Anne No. 19	West Jasper Place No. 73
Lamont No. 20	Westlock No. 4
Leduc No. 63	Wetaskiwin No. 33
Lethbridge City No. 41	Wheatland No. 49
Lethbridge District No. 21	



# Teachers' Organizations

## **Alberta Teachers' Association**

Dr. S. C. T. Clarke,  
Executive Secretary,  
9929 - 103 Street,  
Edmonton, Alberta.

## **British Columbia Teachers' Federation**

C. D. Ovens,  
General Secretary,  
1815 West 7th Avenue at Burrard,  
Vancouver, 9, B.C.

## **Saskatchewan Teachers' Federation**

G. D. Eamer,  
Secretary-Treasurer,  
902 Spadina Crescent East,  
Saskatoon, Saskatchewan.

## **The Manitoba Teachers' Society**

E. L. Arnett,  
General Secretary,  
956 Portage Avenue at Lipton Street,  
Winnipeg 10, Manitoba.

## **Ontario Teachers' Federation**

Miss Nora Hodgins,  
Secretary-Treasurer,  
1260 Bay Street,  
Toronto 5, Ontario.

## **\*Ontario Secondary School Teachers' Federation**

S. G. B. Robinson,  
Secretary,  
1260 Bay Street,  
Toronto 5, Ontario.

## **\*Ontario Public School Men Teachers' Federation**

Winston Davies,  
Secretary,  
1260 Bay Street,  
Toronto 5, Ontario.

## **Organizations**

### **\*Federation of Women Teachers' Association of Ontario**

Miss Elizabeth D. Taylor,  
Secretary,  
1260 Bay Street,  
Toronto 5, Ontario.

### **\*Ontario English Catholic Teachers' Association**

Miss Marian Tyrrell,  
Secretary,  
1260 Bay Street,  
Toronto 5, Ontario.

### **\*L'Association de l'Enseignement Français de l'Ontario**

Miss Gabrielle Levasseur,  
Secretary,  
107 Wurtenburg Street,  
Ottawa, Ontario.

### **Provincial Association of Protestant Teachers of Quebec**

Dr. J. M. Paton,  
Executive Director,  
2100 St. Mark Street,  
Montreal 25, Quebec.

### **Federation of English-Speaking Catholic Teachers, Inc. (Quebec)**

Miss Hannah Healy,  
Secretary-General,  
5744 Decarie Blvd.,  
Montreal 29, Quebec.

### **The New Brunswick Teachers' Association**

Alfred H. Kingett,  
Secretary-Treasurer,  
766 King Street,  
Fredericton, N.B.

### **The Nova Scotia Teachers' Union**

Tom Parker,  
Executive Secretary,  
183 South Park Street,  
Halifax, Nova Scotia.

**Prince Edward Island Teachers' Federation**

Miss Anna Riley,  
General Secretary,  
Box 518,  
Charlottetown, P.E.I.

**The Newfoundland Teachers' Association**

Allan Bishop,  
Secretary,  
90 Barter's Hill,  
St. John's, Newfoundland.

**Northwest Territories Teachers' Association**

D. W. Hepburn,  
President,  
Inuvik, N.W.T.

**Canadian Teachers' Federation**

Dr. George G. Croskery,  
Secretary-Treasurer,  
444 MacLaren Street,  
Ottawa 4, Ontario.

**World Confederation Organization of the Teaching Profession**

Secretary,  
1227 - 16 Street N.W.,  
Washington 6, D.C., U.S.A.

\*Affiliated with Ontario Teachers' Federation

# Educational Organizations

## **Canadian Conference on Education**

Miss Caroline Robins,  
Executive Secretary,  
203 - 85 Sparks Street,  
Ottawa 4, Ontario.

## **Alberta Education Council**

E. J. Ingram,  
Secretary-Treasurer,  
9929 - 103 Street,  
Edmonton, Alberta.

## **Alberta School Trustees' Association**

T. C. Weidenhamer,  
Secretary,  
Room 26,  
10725 - 101 Street,  
Edmonton, Alberta.

## **The Alberta Federation of Home and School Associations Incorporated**

The Secretary,  
134 - 8th Avenue E.,  
Calgary, Alberta.

## **Canadian School Trustees' Association**

B. E. Comrie,  
338 - 2 Street W.,  
Cornwall, Ontario.

## **Canadian Home and School and Parent-Teacher Federation**

The Secretary,  
370 Dundas Street West,  
Toronto 2B, Ontario.

## **Canadian Education Association**

F. K. Stewart,  
Secretary,  
206 Huron Street,  
Toronto, Ontario.

## **Canadian Citizenship Council**

Secretary,  
180 Bay Street,  
Ottawa, Ontario.

## **National Education Association**

Dr. William G. Carr,  
Secretary,  
1201 - 16 Street N.W.,  
Washington 6, D.C., U.S.A.

# Secretaries of School Divisions and Counties

Acadia No. 8  
C. G. Peterson  
Oyen

Athabasca No. 12  
W. J. Leskiw  
Box 540, Athabasca

Barrhead No. 59  
D. L. White  
Barrhead

Beaver County No. 9  
O. Monsson  
Ryley

Berry Creek No. 1  
J. A. Lukey  
Sunnynook

Bonnyville No. 46  
Arthur G. Lapointe  
Bonnyville

Calgary No. 41  
O. P. Gosling  
1001 - 8 Ave. W. Calgary

Camrose No. 20  
S. Hesketh  
Camrose

Cardston No. 2  
R. E. Sackley  
Cardston

Castor No. 27  
G. G. Campbell  
Castor

Clover Bar No. 13  
Chas. Bowker  
10426 - 81 Ave., Edmonton

Coal Branch No. 58  
D. S. Blundell  
Edson

Drumheller No. 30  
R. C. Horley  
Drumheller

East Smoky No. 54  
George Hargreaves  
Debolt

Edson No. 12  
D. S. Blundell  
Edson

Fairview No. 50  
G. E. Lee  
Fairview

Foothills No. 38  
J. W. Donald  
High River

Forty Mile County No. 8  
R. R. Wallman  
Foremost

Fort Vermilion No. 52  
T. E. Giles  
Fort Vermilion

Grande Prairie County No. 1  
R. B. Bowen  
Grande Prairie

## Divisions and Counties

High Prairie No. 48  
J. H. Sanders  
High Prairie

Newell County No. 4  
H. C. Scammell  
Brooks

Killam No. 22  
Ed. Borth  
Killam

Olds No. 31  
J. B. Ludwig  
Didsbury

Lac La Biche No. 51  
W. J. Chester  
Lac La Biche

Peace River No. 10  
P. R. Sproul  
Peace River

Lacombe No. 56  
H. Edgar Todd  
Lacombe

Pincher Creek No. 29  
A. L. Wadstein  
Pincher Creek

Lac Ste. Anne No. 11  
F. A. Rolof  
Sangudo

Provost No. 33  
J. H. Cochrane  
Hughenden

Lamont No. 18  
W. Woycenko  
Lamont

Ponoka County No. 3  
L. G. Sanders  
Ponoka

Leduc No. 49  
A. R. Perschbacher  
Leduc

Red Deer No. 35  
H. T. H. Roberts  
Red Deer

Lethbridge No. 7  
R. M. Glover  
214 - 13 St. S. Lethbridge

Red Deer Valley No. 55  
Miss C. Sinclair  
Box 539 Drumheller

Macleod No. 28  
A. P. Grant  
Granum

Rocky Mountain House No. 15  
R. Crawford  
Rocky Mountain House

Medicine Hat No. 4  
A. T. Shand  
Medicine Hat

St. Paul No. 45  
L. Philippe Meunier  
St. Paul

Neutral Hills No. 16  
C. G. Stillings  
Consort

Smoky Lake No. 39  
S. Antoniuk  
Smoky Lake



## Divisions and Counties

Spirit River No. 47  
W. D. Robertson  
Spirit River

Stettler County No. 6  
L. P. Williams  
Stettler

Stony Plain No. 23  
A. W. Boychuk  
Stony Plain

Sturgeon No. 24  
E. Meaden  
Morinville

Sullivan Lake No. 9  
H. K. Fielding  
Hanna

Taber No. 6  
M. V. Crumley  
Taber

Thorhild County No. 7  
P. G. Woloschuk  
Thorhild

Three Hills No. 60  
A. W. Poland  
Box 165 Trochu

Two Hills No. 21  
P. M. Shavchook  
Two Hills

Vegreville No. 19  
D. W. Kennedy  
Vegreville

Vermilion No. 25  
J. R. Robson  
Vermilion

Vulcan County No. 2  
D. D. McQueen  
Vulcan

Wainwright No. 32  
Oliver G. Griffiths  
Wainwright

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D. M. Holladay  
Warner

Westlock No. 37  
J. Cameron  
Westlock

Wetaskiwin County No. 10  
G. Baker  
Wetaskiwin

Wheatland No. 40  
H. C. Willson  
Strathmore

# Secretaries of Larger School Districts

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Box 748  
Banff

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Barons

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Edmonton

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Bonnyville

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Forest Lawn

Bowness No. 4590  
Mrs. Elsie E. Hogg  
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Bowness

Brooks No. 2092  
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Brooks

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Official Trustee  
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Camp Wainwright

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Calgary

Calgary Public No. 19  
L. W. Bessell  
McDougall School  
Calgary

Camrose No. 1315  
L. McGill  
Camrose

Canmore No. 168  
J. B. Eklof  
Canmore

Coleman No. 1216  
Mrs. Nora Goulding  
Coleman

Crow's Nest Pass Cons. 78  
L. D. Huntley  
Blairmore

Devon No. 4972  
B. D. Stover  
Devon

Drumheller No. 2472  
The Secretary  
Drumheller

## Larger Districts

Edmonton C.S. No. 7  
L. J. Slavik  
9807 - 106 St.  
Edmonton

Edmonton Public No. 7  
T. W. Meen  
10733 - 101 St.  
Edmonton

Falher Cons. No. 69  
Gerard Levesque  
Falher

Forestburg No. 45  
Carl Farvolden  
Forestburg

Grande Prairie No. 2357  
F. E. Hays  
Grande Prairie

Hanna No. 2912  
P. Cochran  
Hanna

High River No. 144  
J. W. Donald  
High River

Jasper No. 3063  
W. L. Yorke  
Jasper

Lethbridge C.S. No. 9  
N. L. Reilander  
425 - 18 St. S.  
Lethbridge

Lethbridge No. 51  
A. J. Watson  
433 - 15 St. S.  
Lethbridge

McMurray No. 2833  
Mrs. R. Tolen  
Fort McMurray

Medicine Hat No. 76  
G. H. Davison  
Medicine Hat

Montgomery No. 4967  
J. R. Forrest  
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Calgary

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R.C.A.F. Station  
Penhold

Nanton No. 50  
J. Mitchell  
Nanton

Normandy No. 4986  
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c/o Commanding Officer  
R.C.A.F. Station  
Lancaster Park

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McLennan

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Redcliff

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5718 - 35 St.  
Red Deer

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4747 - 53 St.  
Red Deer

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H. Armstrong  
Box 60  
St. Albert

St. Louis C.S. No. 21  
W. M. Gray  
30 - 7 St. N.E.  
Medicine Hat

St. Paul No. 2228  
S. D. LeFebvre  
St. Paul

Stettler No. 1475  
V. E. Whittaker  
Box 670  
Stettler

Stirling No. 647  
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Stirling

Thibault C.P. No. 35  
P. E. Brochu  
Morinville

Turner Valley No. 4039  
A. Collins  
Black Diamond

West Jasper Place No. 4679  
A. L. Miller  
10117 - 153 St.  
Edmonton

Wetaskiwin No. 264  
C. B. McMurdo  
Wetaskiwin

# Teachers' Directory

## UNIVERSITY OF ALBERTA

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Vice-President .....	L. H. Cragg
Registrar .....	A. D. Cairns
Assistant Registrar .....	L. P. Morgan
Bursar .....	J. M. Whidden
Dean, Faculty of Arts and Science .....	D. E. Smith
Director, Department of Extension .....	D. D. Campbell

## FACULTY OF EDUCATION

### Education Building, University of Alberta, Edmonton

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Director, Calgary Branch .....	A. L. Doucette (Calgary)
Director, Summer Sessions and Evening Programs .....	J. W. Gilles

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Secondary Education .....	H. S. Baker
Elementary Education .....	W. D. McDougall
Educational Administration .....	A. W. Reeves

## DEPARTMENT OF EDUCATION

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Deputy Minister .....	W. H. Swift
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Assistant Registrar .....	Miss E. N. Thompson
Chief Superintendent of Schools .....	T. C. Byrne
Assistant Chief Superintendent of Schools .....	R. E. Rees
Director of School Administration .....	J. W. Chalmers
Assistant Director of School Administration .....	A. B. Wetter
Field Administrative Officer .....	V. R. Shogren
School Buildings .....	C. G. Jewers
Director of Curriculum .....	M. L. Watts
Associate Director of Curriculum .....	A. B. Evenson
Assistant Director of Elementary Education .....	N. M. Purvis
Coordinator of Teacher Education .....	D. R. Cameron
Supervisor of School Broadcasts .....	R. A. Morton

## Directory

Supervisor, Audio-Visual Aids .....	D. S. Hamilton
Supervisor of Guidance .....	A. A. Aldridge
Assistant Supervisor of Guidance .....	G. L. Peers
Supervisor of Industrial Arts .....	J. P. Mitchell
Supervisor of Home Economics .....	Miss A. Berneice MacFarlane
Supervisor of Examinations .....	L. G. Frith
Director of Vocational Education .....	R. E. Byron
Administrative Accountant and Personnel Officer .....	A. Bredo

### Public Works Building, 104 Avenue and 121 Street, Edmonton

Director, Correspondence School Branch .....	G. F. Bruce
Manager, School Book Branch .....	W. F. Logan

### Inspectors of High School

G. L. Berry—Department of Education, Edmonton  
E. D. Hodgson—Department of Education, Edmonton  
J. C. Jonason—Department of Education, Edmonton  
L. W. Kunelius—138 - 8 Avenue East, Calgary  
H. A. MacNeil—Court House, Lethbridge  
O. Massing—5009 Gaetz Avenue, Red Deer  
F. M. Riddle—Grande Prairie

### Superintendents of School Divisions and Counties

N. J. Andruski—Grande Prairie  
J. B. Bell—Warner  
J. H. Blocksidge—Vermilion  
E. J. M. Church—Brooks  
T. K. Creighton—Stettler  
W. R. Dean—Drumheller  
E. M. Erickson—Wetaskiwin  
F. B. Facey—10426 - 81 Avenue, Edmonton  
O. Fadum—High Prairie  
G. Filipchuk—Lamont  
M. G. Gault—Athabasca  
T. E. Giles—Fort Vermilion  
I. Goresky—Thorhild  
H. J. Hall—Red Deer  
L. G. Hall—Wainwright  
J. R. S. Hambly—Camrose  
F. Hannechko—Stony Plain  
Irving Hastings—Rocky Mountain House  
W. G. Hay—Hanna  
M. Holman—Strathmore  
S. W. Hooper—Olds  
J. S. Hrabi—Killam  
W. Hryciuk—Barrhead



A. D. Jardine—Edson  
H. Kolesar—Vegreville  
W. S. Korek—1001 - 8 Avenue West, Calgary  
H. A. Kostash—Smoky Lake  
A. E. Kunst—Taber  
C. M. Lavery—134 - 8 Ave. E., Calgary  
R. Leskiw—Foremost  
R. F. McCormick—Provost  
R. V. McCullough—Red Deer (Superintendent At Large)  
E. G. McDonald—Westlock  
W. D. McGrath—Peace River  
J. A. McKay—147 - 6 St. S.E., Medicine Hat  
Munroe MacLeod—11642 - 72 Avenue, Edmonton  
Grant Matkin—Cardston  
O. L. Matson—Pincher Creek  
E. C. Miller—214 - 13 Street S., Lethbridge  
N. Myskiw—Two Hills  
S. N. Odynak—Lac La Biche  
R. C. Ohlsen—Ponoka  
J. B. Percevault—Bonnyville  
H. A. Pike—Tofield  
C. Pyrch—Leduc  
R. Racette—St. Paul  
G. J. Rancier—Oyen  
J. E. Reid—Castor  
H. R. Ross—Lacombe  
L. Sampson—Trochu  
A. L. Schrag—Vulcan  
S. D. Simonson—High River  
Lorne Stewart—Claresholm  
J. F. Swan—10636 - 79 Avenue, Edmonton  
H. Toews—Grande Prairie  
C. M. Ward—Sangudo  
R. M. Ward—Fairview

# Superintendents of School Districts

Calgary Public .....	R. Warren
Calgary Separate .....	R. A. Cannon
Edmonton Public .....	W. P. Wagner
Edmonton Separate .....	A. A. O'Brien
Jasper Place Separate .....	H. Beriault
Lethbridge .....	L. H. Bussard
Lethbridge Separate .....	R. A. Kimmitt
Medicine Hat Public .....	O. P. Larson
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Wetaskiwin .....	R. Paton
West Jasper Place Public .....	P. F. Bargaen







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